

ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 31 OCTOBER 2017

REPORT OF THE HEAD OF PLACE

WARNING

1. THE RECOMMENDATIONS CONTAINED IN THIS REPORT OTHER THAN PART 1 SCHEDULE AND DECISIONS ARE DISCLOSED FOR INFORMATION PURPOSES ONLY.
2. THE RECOMMENDATIONS WILL BE CONSIDERED ON THE DATE INDICATED ABOVE IN THE FIRST INSTANCE. (In some circumstances, consideration of an item may be deferred to a later meeting).
3. THE RECOMMENDATIONS MAY OR MAY NOT BE ACCEPTED BY THE PLANNING COMMITTEE AND MAY BE SUBJECT TO ALTERATION IN THE LIGHT OF FURTHER INFORMATION RECEIVED BY THE OFFICERS AND PRESENTED TO MEMBERS AT MEETINGS.
4. YOU ARE ADVISED TO CHECK WITH THE PLANNING DEPARTMENT (TEL: 821000) AS TO WHETHER OR NOT A DECISION HAS BEEN TAKEN ON ANY ITEM BEFORE YOU TAKE ANY ACTION ON ANY OF THE RECOMMENDATIONS CONTAINED IN THIS REPORT.
5. THE COUNCIL CANNOT ACCEPT ANY RESPONSIBILITY FOR THE CONSEQUENCES OF ANY ACTION TAKEN BY ANY PERSON ON ANY OF THE RECOMMENDATIONS.

Background Papers

The various documents, letters and other correspondence referred to in the Report in respect of each planning application or other item of business.

Members are advised that every application on this report has been considered against a background of the implications of the Crime and Disorder Act 1998 and, where necessary, consultations have taken place with the Crime and Disorder Facilitator and Architectural Liaison Officer. Any responses received prior to publication are featured in the report under the heading Representations.

Members are advised that every application on this report has been considered against a background of the implications of the Human Rights Act 1998 and, following advice from the Head of Legal Services and Monitoring Officer, in recognition of a duty to give reasons for a decision, each report will include a section explaining and giving a justification for the recommendation.

LIST OF PLANNING APPLICATIONS REPORT TO COMMITTEE – 31 OCTOBER 2017

- | | | | |
|---|--|---------------------------|-----------------------------------|
| 1 | P/00874/17 TCP/16652/B | Shanklin | Conditional
Permission |
| | land adjacent 24, Upper Hyde Lane, Shanklin, Isle of Wight | | |
| | Two detached dwellings; formation of vehicular access from upper Hyde Lane; and landscaping (revised scheme) | | |
| 2 | P/00767/17 TCP/33137 | Wootton
Bridge | Conditional
Permission |
| | land between 6 and 18, Lushington Hill, Wootton Bridge, Ryde, Isle of Wight | | |
| | Construction of nine dwellings; access road and landscaping. | | |

01 Reference Number: P/00874/17

Description of application: Two detached dwellings; formation of vehicular access from Upper Hyde Lane; landscaping (revised scheme)

Site Address: land adjacent 24 Upper Hyde Lane, Shanklin.

Applicant: Mr and Mrs Little

This application is recommended for conditional permission

REASON FOR COMMITTEE CONSIDERATION

The Local Member has requested that the application is considered by the planning committee for the following reasons:

- Application is outside of and not immediately adjacent to the defined settlement boundary;
- Site is of a greenfield site status and development would set a precedent for further development in this area;
- Isolated site and therefore not sustainable location; and
- No provision made for affordable housing, social rented, affordable rented or intermediate housing.

MAIN CONSIDERATIONS

- Principle of development
- Impact on the character and appearance of the site and surrounding area
- Impact on neighbouring properties
- Highway considerations

1. Location and Site Characteristics

- 1.1. The application site lies on the northern side of Upper Hyde Lane and is a roughly rectangular section of open field. The site was historically part of the adjoining fields to the north but was subsequently separated and has since occasionally been utilised as a general amenity area for the applicant's property nearby in Upper Hyde Farm Lane.
- 1.2. The site is positioned at the end of a ribbon of residential properties fronting Upper Hyde Lane and the boundaries are delineated by post and wire fencing.

1.3 The areas surrounding the application site are a mix of residential and open fields and this lends the wider area a semi-rural character. To the west and north west of the site lies existing residential development along Upper Hyde Lane and Upper Hyde Farm Lane with further residential development to the south in Blythe Way. There is a small copse to the east of the site and open fields to the north and north east.

1.4 The topography of the site falls from west to east with a cross fall from north to south.

2. Details of Application

2.1 The application seeks consent for the construction of two detached dwellings with an associated vehicular access and parking areas.

2.2 The submitted plans show Unit 1 would be a two storey dwelling with a footprint of 12.45 metres by 8.1 metres and a maximum height of 7.7 metres. This property would provide internally for an open plan kitchen/dining room/snug, shower room, hall and living room at ground floor level with three bedrooms (one en-suite) and a family bathroom at first floor level. This dwelling would also benefit from an attached car port on the north east elevation.

2.3 Unit 2 would again be a two storey dwelling with a maximum footprint of 14.4 metres by 10.2 metres and a ridge height of 7.7 metres. Internally this dwelling would provide an open plan kitchen/dining area/snug, living room, hall and bedroom at ground floor level with three bedrooms (one en-suite) and a bathroom at first floor level. This property is also shown to include a car port on the south west elevation and a balcony at first floor level on the north west elevation.

2.4 The two proposed dwellings are shown to be served by one shared vehicular access that would be positioned centrally within the site. This access would lead to the respective car ports for each dwelling as well as associated driveways/turning areas.

2.5 The proposed development is also detailed to include the widening of the byway (Upper Hyde Lane) across the site frontage by 1 metre. These works would take place within the application site boundary.

3. Relevant History

3.1. P/00091/17 – Two detached dwellings with garages; formation of vehicular accesses from Upper Hyde Lane – Withdrawn 14 March 2017.

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 55 of the NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Therefore, Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Local Planning Policy

4.3 The Island Plan Core Strategy defines the application site as being outside of any defined settlement boundary although it does lie within the boundary of The Key Regeneration Area. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP2 Housing
- SP7 Travel
- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM17 Sustainable Travel
- DM22 Developer Contributions

4.4 The following supplementary planning documents are also relevant to the application:

- Affordable Housing Contributions
- Guidelines for Parking Provision as Part of New Developments
- Guidelines for Recycling and Refuse Storage in New Development

5. Consultee and Third Party Comments

Internal Consultees

5.1 The Council's Rights of Way Team recommend conditions should the application be approved. It has also been highlighted that an allegation regarding Japanese Knotweed within Upper Hyde Lane has been received by this department.

5.2 The Island Roads Highway Engineer has raised no objections but recommended conditions to ensure:

- that each dwelling would have a minimum of 2 on-site parking spaces;
- that the access and parking arrangements would be based on the principles shown on the submitted plans; and
- the construction of the junction between the proposed vehicular access and the adjoining byway would be agreed.

The comments received from Island Roads are discussed in greater detail in the highways section of the report below. See paragraphs 6.22 to 6.29.

Town Council Comments

5.3 Shanklin Town Council have highlighted that the local councillor has received objections to the proposal which are available to view online. No other comments on the proposal itself have been received from the town council.

Third Party Representations

5.4 A total of 12 third party representations have been received from local residents objecting to the proposed on the following grounds:

- Location of site outlined of and not immediately adjacent to the settlement boundary
- Impact of development on the condition of Upper Hyde Lane
- Precedent
- Impact on the adjacent holiday site
- Loss of greenfield/countryside land
- Increase in traffic generation

- Highway safety
- Land ownership
- Proposed dwellings out of scale and keeping with the surrounding properties
- Loss of wildlife habitat
- Negative impact on adjacent property which operates as a holiday let
- Proposed improvements to Upper Hyde Lane would not solve the current issues with the state of the highway
- Sustainability of the site
- Impact on the character of the area
- Loss of privacy to neighbouring properties
- Access not suitable for large vehicles
- Improvements should be made to the entirety of Upper Hyde Lane to the junction with Victoria Avenue
- Proposal should include new hedge along frontage of site
- Design and materials of dwellings inappropriate
- Scale of dwellings
- Overshadowing
- Additional demand on gas and electricity supply
- Disruption caused by construction

5.5 A further comment has been received from Councillor Beston, local ward member, raising the following concerns:

- Impact of the development on the condition of Upper Hyde Lane
- A more permanent surface covering than that proposed should be applied to the lane
- Highway safety
- Local of site outside of and not immediately adjacent to defined settlement boundary
- Precedent
- Loss of greenfield site

6. **Evaluation**

Principle of development

6.1 The National Planning Policy Framework supports the development of new housing in the context of sustainable development and states that in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The Island Plan Core Strategy reflects the guidance contained within the NPPF and policy SP1 of that plan states that the Council will, in principle, support development proposals on appropriate land within or immediately adjacent to the defined settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres

and will prioritise the redevelopment of previously developed land where such land is available, suitable and viable for the development proposed. This policy further sets out that unless a specific local need is identified, development proposals outside of, or not immediately adjacent to the defined settlement boundaries will not be supported. In relation to non-previously developed land, this policy advises that in all cases development will need to clearly demonstrate how it will enhance the character and context of the local area.

- 6.2 Policy SP2 of the Island Plan Core Strategy sets out that the Council is planning for 8,320 new dwellings across the Island within the plan period 2011-2027. Within the broad distribution of those dwellings, it is expected that 370 will be through development within The Bay Key Regeneration Area. In addition, the requirement for sufficient housing land is based on the national planning policy context. Core principle 6 of the NPPF relates to housing and identifies that *“Housing applications should be considered in the context of the presumption in favour of sustainable development.”*
- 6.3 The Island Plan Core Strategy identifies the application site as being outside of any defined settlement boundary although it does lie within the boundary of The Bay Key Regeneration Area. Given the location of the application site outside of any defined settlement boundary, there is a requirement to ensure that the proposal would meet an identified and specific local need. Whilst objections have received to this proposal on the basis of the site being outside of the defined settlement boundary, due regard must be had for the requirements of the NPPF and policy SP1 which set out that development may be acceptable providing it would meet a local need. Furthermore, weight must be afforded to the location of the site within The Bay Key Regeneration Area.
- 6.4 The site does lie outside of any defined settlement boundary and therefore careful consideration must be given to the principle of residential development on this site. These considerations must take into account policy requirements as well as the sustainability and accessibility of the site itself. Policy SP1 states within paragraph 5.5 *“The policy does allow for development to occur immediately adjacent to the settlement boundary. It also allows for development outside these areas, but this is only when a specific local need is identified to justify the development.”* In addition, paragraph 5.7 of this policy further states that the Key Regeneration Areas are wide areas within which regeneration is encouraged, as it would result in development in the most sustainable locations, generally within and immediately adjacent the settlement boundaries of these key towns. It should be noted that this policy does not completely resist development outside of the defined settlement boundaries but it does seek to primarily locate new development within the Key Regeneration Areas and sustainable locations. Taking this into account, whilst generally development would be encouraged to be within or immediately adjacent to the defined settlement boundaries, the location of the application site outside of and not immediately adjacent to this boundary would not render

the proposal unacceptable when taken in isolation. This issue must be carefully balanced against the provision of additional housing development within this location and the resultant impacts of the development.

- 6.5 In line with the requirements of policy SP1, this application has been accompanied by a comprehensive Planning, Design and Access Statement. This statement seeks to demonstrate that the proposed development would meet a specific local need and would enhance the character and context of the local area as required by policy SP1 as well as the sustainability of the site itself.
- 6.6 In terms of local need, the submitted statement includes an analysis of the findings of the Council's Strategic Housing Market Assessment together with a letter from a local estate agency. The information contained within the local estate agents advice indicates that this area of Shanklin is a popular location for a variety of home buyers due to the peaceful and quiet setting on the outskirts of town, with local facilities and amenities being within easy reach. Within the Council's Strategic Housing Market Assessment (June 2014), the site is located within The Bay housing sub market area. This current application is seeking consent for one additional three bedroom dwelling and one additional four bedroom dwelling on this site. The SHMA confirms that there is an identified need for an additional 48 new dwellings per year within The Bay sub market area (Table 42, SHMA page 106). There is an identified need for 31.6% of that future market housing to be three bed dwellings and 7.2% to be four bed dwellings (Table 51). On this basis, a total of 38.8% of the identified local need for this area should be three and four bed dwellings. Taking this into consideration, the proposed development to provide one three bed and one four bed dwelling in this location would be in line with the need/demand identified within the SHMA for additional housing and in particular the need for these sizes of dwellings within The Bay sub market area.
- 6.7 Although the application site is located outside of any defined settlement boundary, it is within the Key Regeneration Area and is situated at the end of an existing and established ribbon of residential development and in relatively close proximity to existing shops, services and facilities within Shanklin Town Centre. The site is not isolated or divorced from the settlement and so the proposed development would not result in an undesirable encroachment into the countryside or an isolated dwelling within the wider rural area. Weight must also be given to the fact that clearly outside of defined settlements, there are areas of the Island which area built up in nature which does not mean that they are not sustainable locations for development that meets the local need and represents sustainable locations in terms of being small communities which have services and amenities nearby within the defined settlements. It is this issue that should inform the principle of acceptable of development in this location, not the existence of the defined settlement boundary.

- 6.8 There is a regular bus route on the main road into Shanklin from the west with a nearby bus stop on Victoria Avenue. The walking distance between the application site and this bus stop is just over 500 metres. This bus stop is served by bus route 2 which runs between Ryde, Sandown, Shanklin and Newport and runs every 30 minutes, 7 days a week and as such the site would provide an accessible location in terms of public transport links. In addition to public transport links close by, the site lies directly opposite to a recently upgraded cycle/footpath network which provides access to the town centre and links between Shanklin and Wroxall. Taking these points into account, it is considered that the application site is in a reasonably sustainable and accessible location for the amount of dwellings proposed.
- 6.9 Further concerns have been raised by third parties in relation to the site being green belt/agricultural land and the loss of such land as a result of the proposed development. In this regard, it is noted that the Island does not include any formally designated green belt land and whilst the application site may previously have been within agricultural use, this is not an active use. As detailed above, the site was historically part of the open fields to the north but was subsequently separated off and has been occasional used as a general amenity area for the applicant's property nearby (Upper Hyde Farm Lane). On this basis, the site has not been in an active agricultural use for a considerable time.
- 6.10 In light of the above, it is considered that the proposed development would provide two suitably sizes (in terms of bedrooms) residential units which would meet an identified local need and would be positioned within an accessible and sustainable location. It is therefore concluded that the proposal would comply with the requirements of policies SP1 (Spatial Strategy), SP2 (Housing) and DM3 (Balanced Mix of Housing) of the Island Plan Core Strategy as well as the principles of the National Planning Policy Framework.

Impact on the character and appearance of the site and surrounding area

- 6.11 As detailed above, the application site lies at the eastern end of a row of residential properties fronting Upper Hyde Lane. These dwellings are largely detached properties set within comparable plot sizes with the exception of two dwellings in the centre which benefit from significantly wider plots. The dwellings themselves are set fairly centrally within the depth of the plots and range from large two storey properties to modest bungalows. There is a wide variation in the general design, style and use of materials for these existing properties.
- 6.12 The proposed development is shown to include the subdivision of the site and the construction of a detached dwelling within each section. The dwellings would be served by a central shared vehicular access off Upper Hyde Lane and respective parking areas and car ports. In terms of positioning and layout,

the proposed dwellings would occupy a similar position within their plots as the existing dwellings within the street scene. They would be set back from the highway allowing the provision of the parking area and areas of landscaping to the front of the properties themselves. It is considered that this would be in keeping with the prevailing pattern of development within this area and would therefore not appear incongruous. Whilst the overall size of the dwellings proposed is relatively large, the layout of the dwellings would result in them being fairly narrow and taking advantage of the depth of the plots. This would result in the width of the dwellings allowing space to be retained either side of the dwellings and would be reflective of the other properties along this road. The existing residential property immediately to the west of the application site is a modest detached bungalow although there are examples of much larger, two storey dwellings within the immediate street scene. Taking this into account, it is considered that the scale, height and position of the proposed dwellings would not cause them to appear overdominant or visually prominent when viewing Upper Hyde Lane as a whole. In addition, whilst the dwellings are shown to be two storey in height, they are shown to incorporate a steep pitched roof which would therefore reduce the appearance of bulk at roof level when viewed from the front.

6.13 In terms of the design and appearance of the dwellings themselves, they are shown to be of a simple and contemporary design whilst being of a relatively traditional form due to the prominent gables on the front and rear elevations. It was evident from the officer site visit that there is no prevalent or overarching theme or style to the existing properties within Upper Hyde Lane with each dwelling having a unique and individual appearance. On this basis, it is considered that the design approach for the proposed development would be appropriate in this instance and would allow the dwellings to continue this individuality, particularly given that the proposed dwellings would incorporate subtle differences between them. The submitted plans show the dwellings would be finished in a mix of render and cedar cladding and it is considered that this would complement the existing palette of materials within the street scene (of which there are several examples of render and cladding) as well as the rural character of the land to the north and east of the site. Furthermore, a condition has been recommended requiring the submission and agreement of materials prior to commencement of work to ensure that the development would be of a sufficiently high quality finish.

6.14 As a result of the lack of off-site parking provision within this part of Shanklin, each of the existing properties along Upper Hyde Lane benefit from a vehicular access and a level of parking provision within the site. The proposed dwellings are shown to be served by a central vehicular access from the highway and associated parking area. Whilst it is acknowledged that the provision of a shared access for the two proposed dwellings would be different to the arrangements of the existing properties, it is considered that it would serve to ensure that appropriate soft landscaping could be provided to a greater area of

the site frontage thereby softening the visual impact of the proposed development. Furthermore, given the location of the site at the end of a row of properties, it is considered that this difference would not be detrimental would not be particularly notable.

6.15 Overall it is considered that the proposed development would result in the addition of two dwellings of appropriate scale, mass and design within this site. Whilst the concerns of the third parties in relation to the appearance and scale of the dwellings are noted, due regard must be had for the existing variety within the street scene. Although the immediate neighbour to the site is a bungalow, there are several examples of much larger, two storey dwellings within this area and therefore it is considered that the proposed dwellings would not appear out of scale or proportion. In terms of design, it is acknowledged that the proposed dwellings would be of a more contemporary style and appearance to the immediate neighbouring property. However, there is no overarching style to this part of Shanklin and the existing properties within the street scene are mixed in terms of appearance. The materials proposed would complement and integrate with the surrounding properties within Upper Hyde Lane and it is therefore considered that the proposed design approach would not cause any detrimental or adverse impact to the character and appearance of the area.

6.16 For the reasons set out above, it is considered that the proposed development would comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the principles of the National Planning Policy Framework.

Impact on neighbouring properties

6.17 Given the location of the application site at the end of an existing row of properties, the only neighbouring residential dwelling is number 24 Upper Hyde Lane to the west. This property is a modest detached bungalow which sits at an elevated position in relation to the application site. The shared boundary between this property and the site is formed by a wood and wire fence to a height of 1.3 metres. This boundary treatment results in the east facing elevation and garden area of this property being highly visible from the application site.

6.18 The submitted plans show that Unit 1 would be positioned a distance of approximately 6 metres away from the western boundary of the site with number 24 being located a further 10.7 metres away. This would result in a total separation distance of 16.7 metres. As detailed above, Unit 1 is shown to have a maximum height of 7.7 metres however, given the topography of the site, the eaves and ridge height of this dwelling would be lower than that of number 24. Taking into account the separation distance and set down position of the proposed dwelling in relation to this neighbouring property, it is

considered that the development would not appear overbearing, overdominant or intrusive. Furthermore, the distance between the properties would ensure that Unit 1 would not cause any overshadowing to number 24.

- 6.19 In relation to overlooking and loss of privacy, it is noted that the occupant of number 24 has raised objection to the proposal on the grounds of a loss of privacy to the garden and dwelling of number 24. This comment also highlights that whilst Unit 1 is not shown to include a balcony as with Unit 2, such a balcony could be added in the future thereby causing further overlooking. The submitted plans show that Unit 1 would incorporate a window and bi-fold doors on the rear elevation at ground floor level with a large window at first floor level extending into the gable. The south west side facing elevation is also shown to include one window at first floor level. This side facing window is shown to serve a bathroom for the dwelling and as such a condition has been recommended requiring this window to be fitted with obscure glazing. Taking this into account, no loss of privacy would be created by this window. Furthermore, a condition has been recommended removing permitted development rights for any additional windows within this elevation at first floor level. In addition, a condition has been recommended requiring the details of all boundary treatments to be submitted and agreed prior to installation which would further ensure that the privacy and amenities of the occupants of neighbouring properties can be protected.
- 6.20 With regard to the rear facing windows of the proposed dwelling, it is acknowledged that these would allow a degree of overlooking to the garden area of number 24. However, given the set down nature of the proposed dwelling in relation to that garden area, it is considered that any overlooking would be minimal. Furthermore, from the site visit, it was evident that the garden area of this neighbouring property is highly visible when travelling along Upper Hyde Lane as a result of the open and low nature of the boundary treatment. On this basis, it is considered that the proposed development would not exacerbate the existing lack of privacy to this amenity area to a significant degree. Whilst concern has been raised over the potential for a balcony to be added to Unit 1 in the future, this application must be assessed on the impacts of the current proposal which does not include a balcony. The addition of any such balcony in the future would require the benefit of planning permission and therefore the impacts would be properly assessed and determined in relation to overlooking to number 24.
- 6.21 In light of the above, it is considered that the proposed development would not result in any detrimental impact to the amenities of the occupants of the neighbouring property and therefore complies with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Highway considerations

- 6.22 As set out above, the proposed development is shown to include the formation of a vehicular access off Upper Hyde Lane together with associated parking areas for the proposed dwellings. It is also proposed to widen the existing byway across the frontage of the site by 1 metre.
- 6.23 Upper Hyde Lane is a public byway that forms a junction with the A3020 (Victoria Avenue) to the west and forms a link into Hyde Road to the east. Island Roads have confirmed that Upper Hyde Lane is unbound in construction and of poor condition and as such vehicle speeds along this road are reflective of a 10mph environment. In accordance with design standards, any new vehicular access created to form a junction with this part of the highway network should provide for minimum visibility splays of 11 metres in either direction when taken from a 2 metre set back.
- 6.24 The Highway Engineer has advised, following a site inspection, that the required level of visibility can be achieved at the junction of the proposed access with Upper Hyde Lane and the development would provide adequate space within the confines of the site for the parking and turning of private motor vehicles.
- 6.25 Consideration has also been given to the junction of Upper Hyde Lane with the A3020. It is acknowledged that this junction is limited in respect of forward visibility whereby only 38 metres of the required 43 metres can be achieved. However, due consideration must be given to the fact that this junction currently serves 52 dwellings and outside of the byway closure period, though traffic from Hyde Road is permitted to utilise this junction. On this basis, it is considered that the additional traffic generation attributable to the two dwellings proposed would not be significant and therefore it would not be sustainable to object to this application on those grounds.
- 6.26 The byway of Upper Hyde Lane is subject to a seasonal temporary closure order which results in it being closed to all motor vehicles other than those with permitted access rights from the month of October through to April. This closure is due to the typically bad weather experienced on an annual basis during these months and the conditions of the byway. A significant number of the third party concerns raised over this proposed development are on the grounds of the impact of the additional traffic on the condition of Upper Hyde Lane itself. In an attempt to mitigate these concerns, the application proposes mitigation and enhancement works to the byway in the following ways:
- Prior to commencement: Widen the byway outside of the application site by 1 metre and make good this section of land by scraping and applying Type 1, road planings etc;
 - During construction: Attend to any obvious potholes caused or

exacerbated by construction vehicles; and

- Prior to occupation: Scrape and roll the land from and including the frontage of the site through to the junction with Upper Hyde Farm Lane. Type 1 would be added and rolled where necessary to make up the ground.

6.27 It is considered that the mitigation works highlighted above could be adequately controlled through the imposition of appropriate conditions. These works would ensure that any damage or deterioration to Upper Hyde Lane as a direct result of the proposed development would be rectified by the developer and the extent of Upper Hyde Lane between the site and the junction with Upper Hyde Farm Lane to the west would be improved. Taking this into account, it is concluded that the proposed development would not result in any negative impact to the condition of the byway and would maintain, or improve, the current standard of this byway. The widening of the byway as a footpath/bridleway and cycle link and the overall condition of the lane would be maintained. Whilst it is noted that third parties have suggested that the development should include the resurfacing of Upper Hyde Lane through to its junction with the A3020 with a permanent solution, it would not be reasonable to require the developer to carry out these works, particularly given the existing condition of the byway.

6.28 It was noted by the Highway Engineer that the byway linking the application site to the wider highway network is limited in respect to width. The section running across the roadside frontage of the site is only 2.7 metres wide with the section running between the western site boundary and Upper Hyde Farm Lane having a width of just 3.1 metres. Island Roads highlighted within their comment that, given the limited width of the byway, there may be issues with access width in relation to emergency vehicle access and waste collection access. Concerns have also been raised by third parties with regard to whether construction/delivery vehicles could access the site given the limited width. In light of the comment from Island Roads, the Council's Business Fire Safety Officer has been consulted with regard to fire appliance access to the site. The response indicated that this issue would be a requirement of Building Regulations and should the required access not be available, a fire engineered solution such as a domestic sprinkler system would be required. Whilst these comments are noted, this would be a matter to be dealt with through other legislation (Building Regulations) and therefore hold no weight in the determination of this application. In a similar way, whether large construction/delivery vehicles could access the site during construction of the development would be a matter for the developer and does not form a material planning consideration.

6.29 For the reasons outlined above, it is considered that the proposed development would not result in any detrimental impact in terms of highway safety. The proposed vehicular access to the site would benefit from the

required visibility splays and adequate space would be provided within the site for the parking and turning of vehicles. Whilst the junction of Upper Hyde Lane with the A3020 is deficient in respect of forward visibility, it is considered that the proposed development would not generate a significant increase in traffic utilising this junction and as such this would be acceptable in this instance. The application therefore complies with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the requirements of the National Planning Policy Framework.

Other issues

- 6.30 Within the third party representations received for this application, land ownership was raised as an issue stating that there was a degree of confusion over the ownership of the application site. The submitted application form clearly indicates that the applicant is not the sole owner of the land subject of the application and therefore Certificate B has been signed and the requisite notice served on the land owner. It is considered that this is sufficient and clear and therefore no further action/investigation is required in this regard.
- 6.31 Further concerns have been raised regarding precedent, impact of the proposal on the nearby holiday site and holiday unit in terms of loss of business, disruption caused to existing residents as a result of construction and the additional demand on the gas and electricity supply to this area from the two additional dwellings. These do not constitute material planning considerations and as such can be afforded no weight in the determination of this application. In relation to precedent, any future proposals of this nature within the area would be subject to further formal applications and would therefore be assessed and determined on their own merits.

Affordable Housing

- 6.32 The Council's Affordable Housing Contributions Supplementary Planning Document was formally adopted in September 2015 with a revised version brought into force on 1st July 2017. Given that the proposed development would result in a net increase to residential units, the requirements of this SPD apply to this application.
- 6.33 In this instance a Unilateral Undertaking has been drafted committing the applicant to pay the required affordable housing contribution and this undertaking would be signed and agreed prior to any planning permission being issued.

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 new housing;
- it would assist in delivery of housing within The Bay Key Regeneration Area in line with the aims of policy SP2 of the CS;
- It would provide a financial contribution towards the provision of off-site affordable housing;
- it would integrate with and compliment the character of the surrounding area, without harming the integrity and character of the surrounding countryside; and
- it would not have a negative impact on the safe use and capacity of the highway network.

Therefore, it is concluded that, having regard to the “planning balance”, the proposal would comply with the provisions of the development plan and the aims of the NPPF.

8. Recommendation

8.1 Conditional permission

9. Statement of Proactive Working

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

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

In this instance:

- Pre application advice was provided; and
- The application was considered to be acceptable as submitted and therefore no further discussions were required.

Conditions/Reasons

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

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

- 2 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered 16-01 P3A and 16-01P2A.

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

- 3 No dwelling hereby permitted shall be constructed above finished floor level until details of the materials and finishes to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 No boundary treatments shall be installed until details have been submitted to and approved in writing by the Local Planning Authority of the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings hereby permitted are occupied. Development shall be carried out in accordance with the approved details.

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

- 5 No dwelling hereby permitted shall be occupied until full details of both hard and soft landscape 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; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; refuse storage; existing trees and planting to be retained; new planting; and a timetable for the carrying out and completion of the landscaping works. The landscaping of the development shall be carried out and completed in accordance with the approved details and 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.

Reason: To ensure an attractive appearance for the development accordance

with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 6 Before the first occupation of the dwelling Unit 1 hereby permitted, the window in the first floor south west flank elevation serving the bathroom shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed at first floor level in the south west elevation of Unit 1.

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

- 8 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 E of Part 1 or Class A of Part 2 of Schedule 2 to that Order shall be carried out forward of the front walls of the dwellings hereby permitted (other than that expressly authorised by this permission).

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

- 9 No dwelling hereby permitted shall be occupied until space has been laid out within the site in accordance with drawing number 16-01 P3A for a minimum of 2 cars per dwelling to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and in accordance with details to be submitted and approved in writing by the Local Planning Authority for the draining and surfacing of these areas. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

- 10 No development shall take place until details of the junction between the proposed vehicular access and the adjoining byway have been submitted to and approved in writing by the Local Planning Authority. These details shall include for the remodelling and widening of the byway adjacent to the southern site boundary based on the principles of drawing number 16-01 P3A giving rise to a minimum useable width of 3.7 metres and the dwellings hereby permitted shall not be occupied until the junction and widening works have been constructed in accordance with the approved details.

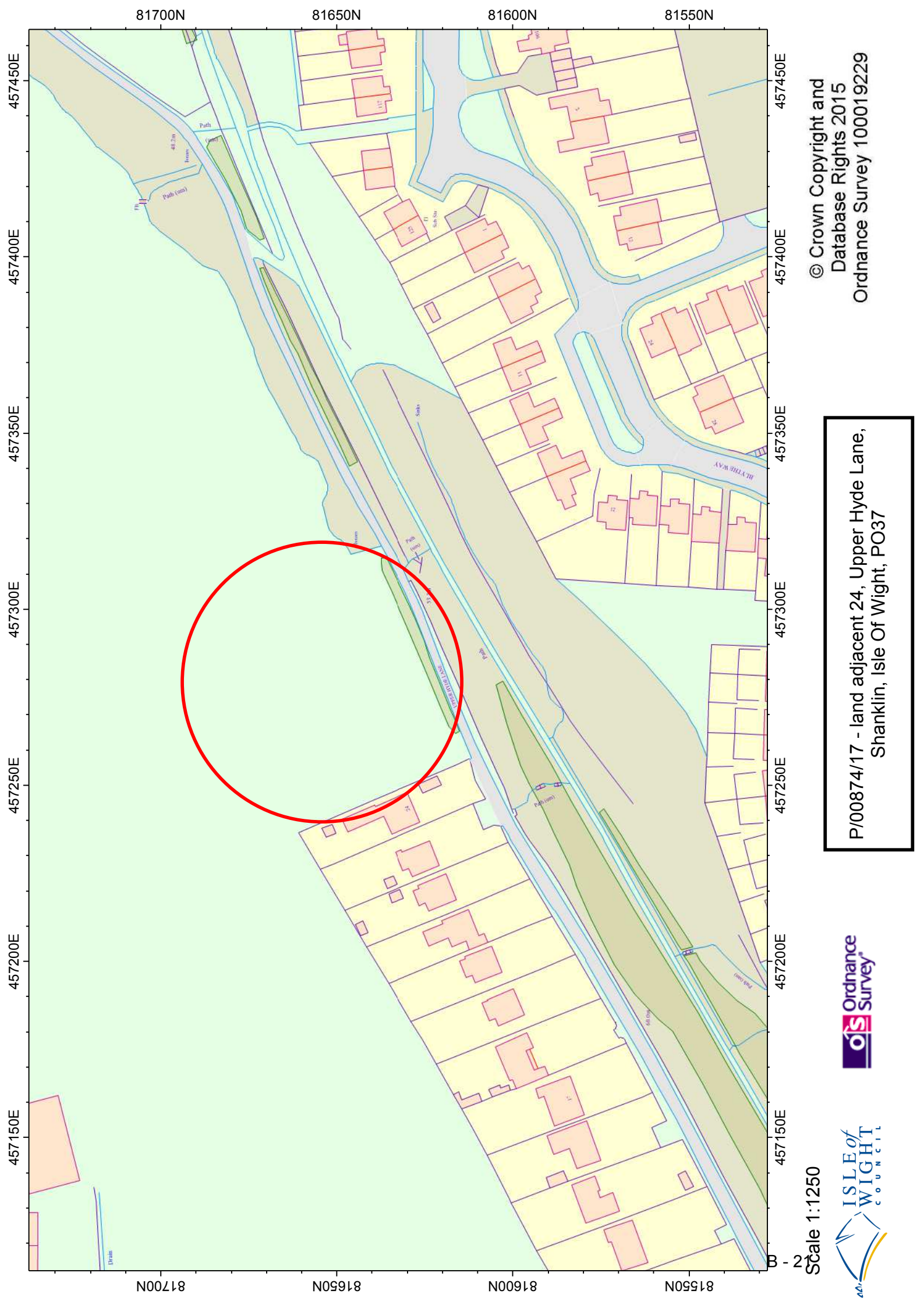
Reason: In the interests of highway safety and to comply with policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy. This is a pre-commencement condition due to the requirement for a suitable means of access during the construction stage of the development.

- 11 Prior to work commencing on site, a construction management plan, including but not limited to; a condition survey of the existing byway known as Upper Hyde Lane between the application site and the junction with Upper Hyde Farm Lane, and a method of repairing damage caused during the construction process, intended method for the loading, unloading and storage of materials and the access for construction traffic shall be submitted to and approved in writing with the Local Planning Authority. The agreed details shall thereafter be adhered to on site.

Reason: To protect the amenities of the residents of the existing housing and in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 12 The development hereby permitted shall be carried out in strict accordance with the details within paragraph 5.5.5 entitled 'Proposed mitigation and enhancement works to the Byway' of the Planning, Design and Access Statement.

Reason: In order to ensure that the proposed development would not negatively impact on the safe use of the byway and in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.



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Ordnance Survey 100019229

P/00874/17 - land adjacent 24, Upper Hyde Lane,
Shanklin, Isle Of Wight, PO37



Scale 1:1250

02 Reference Number: P/00767/17

Description of application: Construction of 9 dwellings; access road and landscaping (revised plans)

Site Address: land between 6 and 18 Lushington Hill, Wootton Bridge.

Applicant: HGM Lushington

This application is recommended for conditional permission

REASON FOR COMMITTEE CONSIDERATION

The Local Member has requested that the application is determined by the Committee on the basis that the development would fail to make optimal use of the site to meet local housing needs.

MAIN CONSIDERATIONS

- Principle of development
- Impact on the character and appearance of the area
- Impact on trees and ecology
- Impact on neighbouring properties
- Highways considerations
- Other matters

1. Location and Site Characteristics

- 1.1. The application site is a small grassed field located at the western edge of the Wootton Bridge Rural Service Centre, outside of, but immediately adjacent to, its defined settlement boundary. The site is bounded to the north by a larger field, to the east and west by existing residential ribbon development accessed from, or fronting onto Lushington Hill and Palmers Road, and to the south by Lushington Hill and residential ribbon development fronting the southern side of this public highway, which is part of the Island's Strategic Road Network.
- 1.2. The application site is rectangular in shape and 0.8 of a hectare in area. The site boundaries are defined by trees and hedges, with some fencing at the rear of neighbouring residential gardens bordering the site. There is a gas governor with the SE corner of the site and an existing field access within its SW corner.

- 1.3 The ground levels of the site fall by about 2m east to west and about 1-2m north to south. The SW corner of the site, where the existing field access is located, is at a similar level to the road, but the ground rises so that at its eastern end the site is around 0.7m above road level.
- 1.4 The surrounding area has an edge of settlement character, defined by residential ribbon development, this being sporadic along the northern side of Lushington Hill, and fields, which form part of the wider countryside at the western edge of the RSC.

2. Details of Application

- 2.1 The proposal is to develop the site to provide 9 detached dwellings. These would be laid out in a linear arrangement around a newly formed access road, which would be positioned centrally along the southern boundary of the site with Lushington Hill, with 3 of the dwellings (2x 2 storey houses and 1x bungalow) fronting onto Lushington Hill. The existing field access would be closed.
- 2.2 The development would provide a mix of 2x 2 storey houses, 2x chalet bungalows and 5x bungalows. The houses would be 5m in height to eaves and 8.6m to roof ridge; the chalet bungalows 3m to eaves and 6.3m to roof ridge; and the bungalows, 3m to eaves and 5.6m to roof ridge. The submitted plans indicate that the external materials to be used in the construction of these buildings would include slate for the roofs and a mix of through-colour render, horizontal cladding and facing brick plinth for the exterior walls.
- 2.3 The plans show that the dwellings that would front Lushington Hill would be set 19m back from the public footway behind generous landscaped frontages. Each plot would benefit from good sized, and in most cases generous, rear gardens with a mix of fencing and masonry walls used to define these private gardens. A central landscaped island would be provided to break up the access road and to provide space for planting within the development.
- 2.4 The existing gas governor within the SE corner of the site, including access to it from the public highway, would be maintained, albeit altered, with the proposed layout affording space between this existing installation and the proposed housing (the closest bungalow would be about 9.5m away from this existing installation).
- 2.5 The proposal would provide a 2m wide footway across the full width of the site and this would continue into the site where beyond the end of the roadside plots, the surface would change to a shared surface for pedestrians and vehicles.

2.6 Each dwelling would benefit from a garage, with these being 2.6m in height to eaves and 4m to roof ridge. These garages would generally have footprints of 4m x 7m.

3. Relevant History

3.1. None.

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;
- 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.

Local Planning Policy

4.3 The Island Plan Core Strategy defines the application site as being outside of, but immediately adjacent to, the defined settlement boundary of the Wootton Bridge Rural Service Centre (WBRSC). The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP2 Housing
- SP5 Environment
- SP7 Travel

- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM4 Locally Affordable Housing
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM17 Sustainable Travel
- DM21 Utility Infrastructure Requirements

4.4 The following supplementary planning documents are relevant:

- Solent Special Protection Areas (SPA)
- Affordable Housing Contributions
- Guidelines for Parking Provision as Part of New Developments
- Guidelines for Recycling and Refuse Storage in New Developments

4.5 Other relevant documents include:

- Wootton Bridge Parish Council Housing Needs Assessment March 2013
- IWC Strategic Housing Market Assessment (SHMA)
- IWC Strategic Land Availability Assessment (SHLAA)

5. **Consultee and Third Party Comments**

Internal Consultees

5.1 Island Roads' Highway Engineer, commenting on behalf of the Local Highway Authority, has considered the proposed access and parking arrangements and has raised no objections. Conditions have been recommended to secure highway improvements, construction and drainage details for the access, roads, footways and parking areas, on-site parking provision, visibility for the junction with Lushington Hill and to ensure steps would be taken during the

development to prevent/minimise mud being deposited on the public highway as a result on site operations.

- 5.2 The Council's Highway Engineer has considered the submitted Drainage Statement and has raised no objections. He has however commented that planning conditions should be used to ensure that percolation tests are carried out to verify the suitability of soils for disposal of surface water via infiltration, that the development would be designed to prevent excess water entering the highway and that porous surfaces would be maintained.
- 5.3 The Ecology Officer has raised no objections provided the boundary treatments to the gardens would be permeable to allow badgers and other mammals to commute around the perimeter of the site and a condition is imposed to protect breeding birds during construction.
- 5.4 The Tree Officer has no objections, advising that the layout of the dwellings would have little or no impact on trees surrounding the site. However, he has recommended a condition to ensure these trees would be protected during development.

Parish Council Comments

- 5.5 Wootton Bridge Parish Council objects for the following reasons:
- major infill of greenfield site
 - overdevelopment of the land
 - effect on highway network
 - not in line with local housing needs survey

Third Party Representations

- 5.6 9 representations have been received from local residents who object, raising the following concerns:
- excessive and over-development of the site;
 - loss of greenfield land;
 - loss of views;
 - out of keeping with area and neighbouring properties;
 - set precedent for future development on farmland;
 - effect on use, safety and condition of highway network and its users;
 - impact on wildlife, in particular bats, barn owls and badgers;
 - no need/demand for proposed housing, which won't be affordable;
 - lack of services to support development, which would put increased pressure on existing services (i.e. local doctors surgery);
 - impact to enjoyment of neighbouring properties, in particular as a result of loss of view, light and privacy;

- increased flood risk;
- devalue property locally.

Loss of view and devaluation of property are not relevant to material planning considerations and cannot prejudice the determination of the application.

6. **Evaluation**

Principle of development

- 6.1 The application site is located outside of, but adjacent to, the defined settlement boundary of the Wootton Bridge Rural Service Centre (RSC). Therefore, the proposal would meet the strategic spatial and housing delivery aims of policies SP1 and SP2 of the CS, which require housing developments to be focused within or immediately adjacent the defined settlements of the Island's KRAs, SRAs and RSCs.
- 6.2 Whilst SP1 encourages the reuse of previously developed land (PDL), officers consider that there is no known readily available PDL within or near to the RSC which could accommodate this development. The site is part of a larger area of greenfield land within the Strategic Housing Land Availability Assessment (SHLAA), which is one of only two identified deliverable sites within or near to the RSC within the SHLAA. Policy SP1 does require that for RSCs, development on greenfield land should meet local housing needs.
- 6.3 In terms of housing delivery, the Island has failed to deliver the required 520 dwellings per annum (see policy SP2), the SHLAA indicates that this land is deliverable and therefore in terms of SP1 'appropriate'.
- 6.4 Specifically for Wootton Bridge, the housing needs survey for the parish explains that it requires 44 new homes per annum over the period 2013 to 2018. At present only 10 completions have been recorded for the period 2011/12 to 2015/16. A number of housing developments have been completed recently within the RSC, planning permission refs: P/00094/12, P/00756/14 and P/00689/15, which when taken into account would add a net increase of 13 dwellings to the 10 recorded completions, making a total of 23. Therefore taking into account this evidence and the local needs assessment, which only assesses need over a 5 year period, it can be seen that at present there is a shortfall of 21 dwellings for the period up to 2018.
- 6.5 The parish housing needs assessment explains there is a need for 28 owner/occupied dwellings over this period, including:
- 1 x 4-bed house
 - 11 x 3-bed bungalows
 - 2 x 4-bed bungalows

The housing mix for the proposed development is:

2 x 3-bed houses
5 x 3-bed bungalows
2 x 4-bed chalet bungalows

The recent developments within the parish referred to above have predominantly resulted in the provision of 2 and 3-bed 2-storey houses, and only a single 2-bed bungalow. It is therefore considered that this proposal presents an opportunity to provide 9 dwellings at the edge of the RSC, in a location well connected to the village, which would deliver 5 of the required 11 3-bed bungalows and 2 x 4-bed chalet bungalows (these could be said to meet the need for the 4 bed house or the 4-bed bungalows) and the proposal would deliver 2 family-sized 3-bed dwellings, which would help meet the Island's need for housing as well as help sustain the village. As such, the proposal would make a significant contribution towards meeting the housing needs of the RSC and would therefore comply with the local need requirement of policy SP1 and the aims of DM3, which also requires developments to contribute toward meeting identified local housing needs.

- 6.6 Concerns have been raised that the development would not meet the needs of the parish for affordable housing. The current proposal for 9 dwellings would fall below the threshold set out within policy DM4 of the CS, which would trigger the requirement for affordable housing to be provided on the site. It is acknowledged that the development sits just below this threshold of 10+ dwellings and that there are concerns that the site could be developed to accommodate an increased number of units, which would then require 35% of the dwellings to be affordable units, subject to the viability of such provision. Officers consider that the site does have the potential to increase the number of dwellings, which may enable affordable housing to be provided on the site, but this would be dependent on the viability of such a development. That said the current application must be determined on its own merits and it is clear that whilst the development would not deliver affordable housing, it would make a significant contribution towards meeting the local need for housing set out in the housing needs survey for the parish.
- 6.7 Although no on-site affordable housing is proposed, the applicant has agreed to pay a financial contribution towards off-site affordable housing. This contribution would be agreed through a planning obligation. The contribution would be based on half the 3% tariff set out within the Council's Affordable Housing Contributions SPD. Whilst this contribution would be lower than that set out within the SPD, this has been negotiated with the applicant on the basis that the application was submitted before the date that this SPD was to be applied to planning applications (1 July 2017). This contribution is discussed further in the planning obligations section of the report.

- 6.8 Having regard to the above, it is considered that the proposal would meet a local need for housing in line with policies SP1 and DM3 of the CS and would be compliant with policies SP1, SP2 and DM3 of the CS in terms of housing location, delivery, need and mix and therefore it is considered that the proposal can be supported, in principle.

Impact on the character and appearance of the area

- 6.9 The application site is an open field at the edge of Wootton Bridge, just beyond its defined settlement boundary and development along Palmers Road to the east. There is existing residential ribbon development on the opposite side of Lushington Hill and at this point this ribbon development comprises a substantial built-up frontage comprised of a variety of two storey houses and bungalows of mixed traditional appearance. To the north and west is open countryside, although there is some sporadic housing directly adjacent the western boundary of the site.
- 6.10 The western, eastern and northern boundaries of the site are defined and enclosed by trees and hedgerows and these would be maintained. A central landscaped island would also provide an opportunity to plant additional trees within the site to soften the development.
- 6.11 A new pavement would be extended across the site frontage and the proposed housing would be arranged in a linear arrangement around the central access road from Lushington Hill, with the two houses and a bungalow facing onto Lushington Hill. This would in effect continue the ribbon development along Lushington Hill but also create a small cul-de-sac back into the site to make efficient use of the land. It is not uncommon in this area to find housing located behind the main road frontage.
- 6.12 The proposed mix of houses and bungalows would complement the scale and variety of housing locally and it is considered that the proposal would be a high quality solution that would provide an appropriate mix of built form, open/amenity space and soft landscaping. Revised plans have been submitted by the applicant, which detail brick plinths for the proposed dwellings, which would add variety to the otherwise proposed rendered and clad walls. The precise details of exterior materials can be agreed by a planning condition.
- 6.13 Having regard to the proposed scale and appearance of the houses, the layout of the development and the landscaping of the site, it is considered that the proposal would integrate with the surrounding area and would maintain and compliment the character of the area in accordance with the aims of policy DM2 of the CS and the NPPF.

Impact on trees and ecology

- 6.14 The application is accompanied by an Arboricultural Report which explains that all trees within the site are to be retained and that no tree works are necessary to facilitate the development. The existing roadside boundary hedge would be lost, but this would be replaced by a new hedgerow planted across the front of the site, but further back behind the required sight lines or the new access into the site. The Council's Tree Officer has commented that the proposed houses would have little or no impact on existing trees and that the trees are located at sufficient distance from the dwellings. However, he has advised that the trees should be protected during the development process and has recommended a condition to ensure this. Provided such a condition is imposed, there should be no harm caused to existing high amenity trees as a result of this development.
- 6.15 The application is supported by an Ecological Report, which concludes that the site is of low ecological value. However, it does identify that the site may be used as a commuting route by badgers and that there is potential for breeding birds to be impacted during any site clearance works. As the northern hedgerow is to be maintained, and the western and eastern hedgerows are to be maintained and enhanced as part of the landscaping of the development, it is not envisaged that there would be any impact to dormice. The Ecological Report sets out a number of recommendations, which include new native hedgerow planting along the eastern and western site boundaries, retention of habitat connectivity around the perimeter of the site and garden boundaries to allow wildlife to flow through them, and that vegetation clearance should be undertaken with care and outside of the bird breeding season (1 March to 31 August inclusive) or under the supervision of a suitably qualified ecologist.
- 6.16 The proposal would afford a 1m buffer zone between the gardens of the dwellings and site boundaries and semi-permeable boundary treatments have been detailed between these gardens and the buffer zone and on the site boundaries to ensure that the development design would allow wildlife to commute around the perimeter of the site.
- 6.17 The Council's Ecology Officer has commented that introduction of semi-permeable fencing and the maintenance of a 1m buffer strip around the site should allow badgers and other mammals to continue using the site. Therefore, the Ecology Officer has raised no objections, but has recommended a condition is imposed to protect breeding birds.
- 6.18 Subject to conditions to protect breeding birds and trees during development and to secure new planting and semi-permeable boundary treatments as proposed, it is considered that the proposal would have regard to and not harm the ecological and biodiversity interests of the site and surrounding area, existing trees or protected species in accordance with the aims of policies DM2 and DM12 of the CS.

Impact on neighbouring properties

- 6.19 Given the position and primary orientation of Nos. 6 and 18 Lushington Hill and having regard to the separation distances of the proposed houses with these neighbouring dwellings (12.5m to No. 18 and 14m to No.6 (4m from the boundary with No.6)), as well as the scale, design and appearance of the proposed dwellings, it is considered that the development would not result in any harmful loss of light, outlook or privacy for these neighbouring properties and would maintain the amenities and living conditions of residents of these neighbouring properties.
- 6.20 The proposed dwellings would be 40-54m from dwellings to the west and east (off Lushington Hill and fronting Palmers Road), therefore, given these distances and the scale of the proposed dwellings, it is considered that the development would not harm the amenities and living conditions of residents of these properties, in particular, because those directly facing west and east would be bungalows.
- 6.21 It is therefore considered that neighbouring amenity would be maintained in accordance with the aims of policy DM2 of the CS and the NPPF.

Highways considerations

- 6.22 The site would be served by a new access from Lushington Hill. A new access road from this access would provide vehicular access to the proposed dwellings. Each dwelling would benefit from private garages and driveways that would afford on-site parking compliant with the Council's parking guidance SPD.
- 6.23 Island Roads' Highway Engineer has considered the proposed access and parking arrangements and has confirmed that these would meet design standards, would be suitable to service the scale and nature of the development proposed and would be in accordance with the Council's parking guidance.
- 6.24 It is noted that the required sightlines for the access to service the development would cross a small section of the frontage of No. 18. This land is not within the control or ownership of the applicant. There is the possibility that the required sightlines could become obstructed if some form of planting were allowed to grow within this area at the front of No. 6. That said, this is very unlikely to occur as such planting would also obstruct visibility for users of the existing access for No. 18. In addition, any fence, wall or similar means of enclosure erected here over 1m in height would require planning permission. Having regard to the unlikelihood of the sightlines becoming obstructed across the frontage of No. 18 and taking into consideration that a planning condition can be used to ensure that visibility would be maintained across the site

frontage, it is concluded that safe access would be provided to service the development.

- 6.25 The application would also provide for a 2m wide footway across the site frontage and this would provide a means of pedestrian access from the development site to the Wootton Bridge Rural Service Centre. This footway would also benefit the occupiers of Nos. 18 and 18a, who at present have no means of pedestrian linkage to the RSC, unless they cross the road.
- 6.26 Given the number of accesses already served off Lushington Hill, that this proposal would provide a single point of access and having regard to the level of traffic that would be generated by the proposed development, it is considered that the proposal would not have a negative impact on the flow of traffic or capacity of Lushington Hill and the wider highway network. Island Roads' Highway Engineer has not raised any objections in relation to the effect of the development on the safe use and capacity of Lushington Hill.
- 6.27 Having regard to the above, it is considered that the proposal would provide safe access, would not have a negative impact on the highway network and would comply with the Council's parking guidance in accordance with policies SP7, DM2 and DM17 of the CS and the NPPF.

Planning obligations

- 6.28 The applicant has agreed to enter into a planning obligation to secure the following financial contributions:
- Solent SPA Mitigation equivalent to £172 per dwelling;
 - Off-site affordable housing provision equivalent to sale value of the dwelling, minus £100,000 threshold, multiplied by half the 3% tariff set out in the SPD (1.5%).

This obligation would ensure that the requirements of the Solent SPA SPD would be met. In terms of affordable housing, the development would fall below the threshold within policy DM4 for the provision of on-site affordable housing. In addition, whilst the Council has adopted an SPD in respect of affordable housing contributions and the contribution negotiated with the applicant would be half that required by this SPD, the application was received by the Council before 1 July, the date from which the requirements of this SPD were to be applied to newly received planning applications. Given that the application was received before this date, it is considered that the contribution negotiated with the applicant would be acceptable in this case.

Other matters

- 6.29 In terms of flood risk and drainage, the site is not within a higher risk flood

zone (it is within Flood Zone 1) and it is considered that planning conditions can be used to ensure appropriate foul and surface water drainage would be provided to support the development and reduce risk of flooding to surrounding land.

6.30 In terms of services and infrastructure, the proposed housing would meet an identified need to support the growth of the existing village/RSC. Whilst there are concerns regarding lack of social/community facilities, the proposed 9 dwellings are unlikely to have a significant impact on such services given the size of the existing RSC settlement.

7. Conclusion

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

- Comply with the aims of policies SP1 and SP2 of the CS in terms of the location and delivery of housing;
- Make a significant contribution to meeting local housing needs;
- Make a financial contribution toward off-site affordable housing provision;
- Integrate with and compliment the character of the surrounding area;
- Have regard to and protect existing trees, protected species and their habitats and would provide mitigation in accordance with the Solent SPA SPD;
- Maintain neighbouring amenity;
- Not have a negative impact on the highway network and would comply with the Council's parking guidelines.

Therefore, it is considered that subject to the recommended conditions, and the contributions proposed by the applicant, the proposal would comply with the provisions of the development plan and the aims of the National Planning Policy Framework.

8. Recommendation

8.1 Conditional Permission, subject to the contributions set out in paragraph 6.28 being first secured by legal agreement.

9. Statement of Proactive Working

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

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

In this instance:

- The applicant was provided with pre-application advice;
- The applicant was updated of any issues during the application process and given the opportunity to submit revised plans to address those issues;
- Following receipt of revised plans, the application was considered to be acceptable and therefore no further discussions were required.

Conditions/Reasons

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

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

- 2 Except for the details approved by conditions 4, 8 and 9, the development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered:

1703_PA_002 Rev A Proposed Site Layout;
 1703_PA_003 Rev A Landscape Plan;
 1703_PA_004 Rev A Boundary Treatment Plan;
 1703_PA_10 Rev A House Type A - 3 Bed House Plots 1 and 2;
 1703_PA_11 Rev A House Type B - 3 Bed Bungalow Plots 4, 5 and 9;
 1703_PA_12 Rev B House Type C - 4 Bed Chalet Bungalow Plots 6 and 7;
 1703_PA_13 Rev A House Type D - 3 Bed Bungalow Plots 3 and 8; and

the recommendations set out within the submitted Ecological Report, dated 21 April 2017.

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

- 3 No development, including site clearance and preparation, shall begin until existing trees shown on drawing AS/HC/0417 TSCP have been protected in accordance with details of tree protection measures that have been submitted to and approved in writing by the Local Planning Authority. The submitted

details shall accord with the BS5837:2012 standard and include a plan showing the location of existing trees to be retained and the positions of any protective fencing. The agreed measures shall be adhered to for the duration of the development.

Reason: This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure existing trees to be retained would be adequately protected throughout the development in the interests of the amenities of the area and to comply with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 4 No development shall begin until details of the means of the disposal of surface and foul water from the development have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall have regard to the aims and requirements of policy DM14 (Flood Risk) of the Island Plan Core Strategy and the submitted Drainage Statement, dated June 2017, and shall include evidence and calculations (including the results of percolation tests) to demonstrate that the means of disposal and/or the public sewer system would have the capacity to accommodate the flows from the development and would not increase run-off rates above those prior to development. Development shall be carried out in accordance with the approved details and the approved drainage works shall be completed before any of the dwellings are occupied.

Reason: This is a pre-commencement condition to ensure that adequate provision would be made for the disposal of surface and foul water from the development in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy.

- 5 No development shall begin until details of the steps to be taken to prevent material being deposited onto the public highway as a result of on-site operations associated with the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include provision for the installation and use of wheel cleaning facilities for vehicles associated with the development. The agreed facilities shall be installed before the development begins and the agreed steps shall be adhered to for the duration of the construction of the development. Any material deposited on the highway as a result of vehicles leaving the site shall be removed as soon as reasonably practicable by the site operator.

Reason: In the interests of highway safety, to prevent mud and dust entering the highway and to comply with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 6 Except for the requirements of this condition, no development shall begin until the roadside frontage of the site south of the post and rail fence detailed on

drawing 1703_PA_004 Rev A has been lowered to a height no greater than 1.0 metre above the level of the adjacent carriageway. Thereafter, nothing that may cause an obstruction to visibility, when taken at a height of 1.0 metre above the adjacent carriageway level, shall be placed, planted or permitted to remain on the land between the post and rail fence shown on drawing 1703_PA_004 Rev A and the public highway.

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

- 7 No vegetation clearance shall take place during the bird breeding season (March to August inclusive), unless otherwise agreed in writing by the Local Planning Authority. In the event that works are required to take place within the identified period, the results of a nesting bird survey (undertaken by a suitably qualified ecologist), along with details of any mitigation measures proposed, shall be submitted to and approved in writing by the Local Planning Authority. Any clearance works undertaken within the bird breeding season shall only be carried out in accordance with the agreed details and any agreed mitigation measures shall be implemented as agreed.

Reason: To ensure that there is no disturbance to breeding birds protected under the Wildlife & Countryside Act 1981 and to comply with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 8 Construction of any accesses, roads, footways and parking areas shall not begin until details of the design, construction and surfacing of any accesses, roads, footways and parking areas, as well as the means of surface water disposal from these surfaces, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and to ensure the local risk of flooding is reduced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy.

- 9 No above ground works associated with the construction of the dwellings, garages and the boundary treatments (fences and walls) hereby permitted shall begin until details of the materials and finishes (including colour and mortar colour) to be used in the construction of the external surfaces of those buildings and means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the area and to comply with policy

DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 10 No dwelling shall be occupied until its garage and driveway, means of pedestrian and vehicular access to it from the public highway and sight lines for the access, all of which are shown on drawing 1703_PA_002 Rev A, have been provided in accordance with the details shown on this drawing and the details agreed in accordance with condition 8. Thereafter, the driveways shall only be used for the parking and manoeuvring of vehicles belonging to occupiers of the dwellings and their visitors and shall not be used for any other purpose.

Reason: To ensure safe access and an adequate level of on-site parking to service the dwellings would be provided in accordance with the aims of policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 11 Notwithstanding the submitted details, no dwelling shall be occupied until details of soft landscaping works (to include details of new tree, hedge and other planting, which should show the position of new plants and specify the species, size and number/density of plants), details of hard surfacing and an implementation plan for the landscaping of the development, including a timetable for these works, have been submitted to and approved in writing by the Local Planning Authority. The landscaping of the development shall be carried out and completed in accordance with the agreed details, the details shown on drawing 1703_PA_004 Rev A, and at the agreed times. Thereafter, 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.

Reason: To ensure an attractive appearance for the development in the interests of the visual amenity of the area, to protect the amenities of neighbouring property occupiers and to ensure a good level of amenity would be provided for future occupiers of the development in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 12 The dwellings hereby permitted shall not be occupied until a landscaping management plan for the site has been submitted to and approved in writing by the Local Planning Authority. This plan shall include details of how the areas outside of the curtilages of the dwellings, including the boundary hedgerows, and any SUDs (i.e. porous or permeable surfaces) within the site would be managed and maintained following occupation of any of the dwellings or completion of the development, whichever is the sooner. Thereafter, the landscaped areas of the site shall be managed and maintained in accordance with the agreed management plan.

Reason: To ensure an attractive appearance for the development would be

maintained in the interests of the visual amenity of the area, to protect the amenities of neighbouring property occupiers and those of future occupiers of the development, to protect the ecological and biodiversity interests of the site and surrounding area and to ensure that risk of flooding would be reduced in accordance with the aims of policies DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 13 The new access hereby permitted shall not be brought into use until the existing access has been closed in accordance with the details shown on drawings 1703_PA_002 Rev A and drawing 1703_PA_003 Rev A.

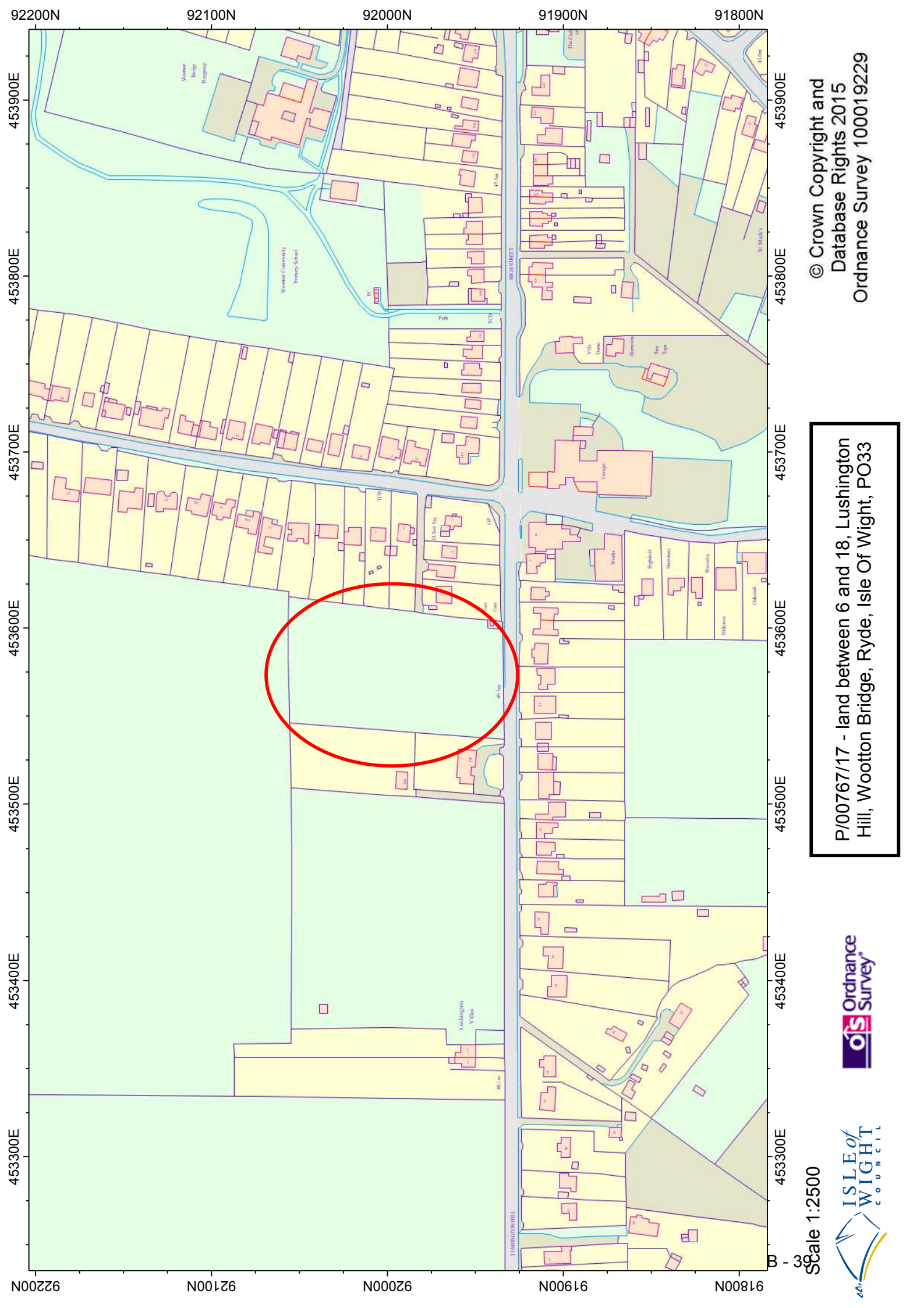
Reason: In the interests of highway safety and to comply with the aims of policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 14 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 building, fence, wall or other means of enclosure (other than that expressly authorised by this permission) shall be carried out forward of the front walls of the dwellings or outside the curtilage of the dwellings.

Reason: To protect the visual amenities and character of the area and to maintain the ecological value of the site 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 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 upper floor windows shall be installed within the side walls or roof slopes of the dwellings hereby permitted or within the rear roof slopes of the dwellings on plots 8 and 9 (other than those expressly authorised by this permission), unless the window is (1) obscure-glazed; and (2) non-opening, unless the parts of the window that can be opened are more than 1.7 metres above the level of the floor in which the window is installed.

Reason: To protect the privacy of neighbouring residents and future residents of the development 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.



P/00767/17 - land between 6 and 18, Lushington Hill, Wootton Bridge, Ryde, Isle Of Wight, PO33

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