

ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 30 JANUARY 2018

REPORT OF THE HEAD OF PLACE

WARNING

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

Background Papers

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

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

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

LIST OF PLANNING APPLICATIONS REPORT TO COMMITTEE – 30 JANUARY 2018

01	P/00331/17 TCP/27642/H Kingarth House, Church Road, Binstead, Ryde, Isle of Wight, PO333SZ	Ryde	Refusal
	Retention and completion of seawall and slipway		
02	P/00395/17 TCP/33037 Land rear of 15 to 18 Priory Walk and adjacent to 17, Chatfeild Road, Niton, Ventnor, Isle of Wight.	Niton and Whitwell	Conditional Permission
	Outline application to provide 9 new residential units with access and layout to be established (revised plans)(readvertised)		

01 Reference Number: P/00331/17

Description of application: Retention and completion of seawall and slipway

Site Address: Kingarth House, Church Road, Binstead, Ryde, PO33 3SZ

Applicant: Mr J Flynn

This application is recommended for refusal

REASON FOR COMMITTEE CONSIDERATION

The Local Member has requested the application is determined by the planning committee as he considers that officers are objecting to the development as a matter of principle, rather than on the basis of actual evidence of impact. He also considers the wall to be appropriate and that it would not harm the environment or landscape characteristics of the area and that there is more public benefit in retaining it.

MAIN CONSIDERATIONS

- Impact on coastal change and management
- Impact on the character and appearance of the area, which is part of the Wight Area of Outstanding Natural Beauty
- Impact on trees/woodland, ecology and biodiversity

1. Location and Site Characteristics

- 1.1. The application relates to an existing dwellinghouse set within extensive grounds, located to the west of Church Road and the north of Quarr Road. The grounds of the dwellinghouse extend to low water mark and include a privately-owned stretch of beach.
- 1.2. The grounds of Kingarth House reflect the wooded character and setting of this area of Binstead, with the northern part of the curtilage in particular containing a significant number of protected mature trees and coastal woodland. This woodland is designated as ancient (semi-natural) woodland (ASNW) and makes an important visual contribution to the landscape and seascape of this stretch of coast, which forms part of the IW AONB, within which the site is located.
- 1.3. The site is within the Ryde Key Regeneration Area, but outside of its defined settlement boundary.

- 1.4 The majority of the application site is outside of, but adjacent to, the Ryde Sands and Wootton Creek Site of Special Scientific Interest (SSSI) and Solent and Southampton Water Special Protection Area (SPA)/Ramsar sites, but the slipway does extend into these European and nationally designated sites. The site is also located adjacent to The Keys Wood Site of Importance for Nature Conservation (SINC) directly east of the application site.
- 1.5 The topography of the site generally falls from south to north towards the coast.
- 1.6 Public footpaths R45 and R46 are to the south and east of the site, with the latter public right of way providing access to the beach.

2. Details of Application

- 2.1 The proposal seeks permission for a new timber wall and slipway at the northern end of the property, where the northern woodland meets the beach. Works to install this new structure have been substantially carried out, but have not yet been completed.
- 2.2 The timber wall extends for approximately 109 metres west to east and would have 90 degree return lengths at its western and eastern ends of about 12m and 25m respectively. The timber slipway is shown to be 52m long north to south and 6 metres wide. The design of the structure incorporates a surface water outfall and steps across and over the slipway. The wall and slipway structure has been constructed using Siberian Larch timber.
- 2.3 The base of the wall is protected by remnants of the old failed sea wall that previously existed 18m-30m north of the structure now being considered, with this material being placed against the new structure as part of this development. Remnants of the previous wall can still be seen at the site.
- 2.4 The development has also involved some localised scraping, grading and re-profiling of the land and laying of granular material behind the top of the wall and within the access track down to the slipway.

3. Relevant History

- 3.1. There is no planning history directly relevant to the current proposal.

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.

4.2 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.

4.3 Paragraph 12 of the NPPF states that the Framework does not change the statutory status of the development plan as the starting point for decision making and that proposed development that accords with an up-to-date Local Plan (in this case the Island Plan) should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

4.4 Paragraph 17 of the Framework sets out 12 core planning principles. Of particular relevance to this application are:

- Be genuinely plan-led, providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply about scrutiny, but a creative exercise to find ways to enhance and improve the places in which people live their lives;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas and recognising the intrinsic character and beauty of the countryside;
- take full account of flood risk and coastal change;
- contribute to conserving and enhancing the natural environment and reducing pollution.

4.5 The NPPF states that local planning authorities should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast and in coastal areas should take account of the UK Marine Policy Statement and marine plans (see paragraphs 105 & 106).

4.6 Paragraphs 114 & 115 explain that the character of the undeveloped coast should be maintained, protecting and enhancing its distinctive landscapes, and improve public access to and enjoyment of the coast and that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

4.7 In order to conserve and enhance biodiversity the NPPF requires the following principles to be applied when determining planning applications:

- if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

4.8 The UK Marine Policy Statement (MPS) is the framework for preparing Marine Plans and taking decisions affecting the marine environment. It explains that The Marine and Coastal Access Act 2009 requires all public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area to do so in accordance with the MPS unless relevant considerations indicate otherwise. It explains that once adopted Marine Plans will have the same effect on authorisation or enforcement decisions in the UK marine area as the MPS.

4.9 The MPS explains that the process of marine planning will contribute to the achievement and integration of sectoral/activity specific policy objectives within a framework of economic, social and environmental considerations in order to deliver the high level marine objectives, which include:

- People appreciate the diversity of the marine environment, its seascapes, its natural and cultural heritage and its resources and act responsibly;
- The use of the marine environment is benefiting society as a whole, contributing to resilient and cohesive communities that can adapt to coastal erosion and flood risk, as well as contributing to physical and mental wellbeing;
- The coast, seas, oceans and their resources are safe to use;
- The marine environment plays an important role in mitigating climate change;
- There is equitable access for those who want to use and enjoy the

- coast, seas and their wide range of resources and assets;
- Biodiversity is protected, conserved and where appropriate recovered and loss has been halted;
 - All those who have a stake in the marine environment have an input into associated decision-making.

Local Planning Policy

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

- SP1 Spatial Strategy
- SP5 Environment
- DM2 Design Quality for New Development
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM15 Coastal Management

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 The Council's Principal Coastal Engineer, commenting on behalf of the Coastal Protection Authority (CPA), has advised that the Council completed and adopted the second generation Shoreline Management Plan (SMP) in 2010 and that this should be the guiding principle when development at the coast is considered. He has commented that the proposal conflicts with this plan and as such the CPA objects to it.
- 5.2 The Council's Tree Officer has objected due to the impact of the development on the protected ancient semi-natural woodland (ASNW). His comments are discussed in greater detail in paragraph 6.18 of this report.
- 5.3 The Council's Ecology Officer has objected, raising concerns that the development would have a negative and permanent impact on the natural processes affecting the site, including to ecology and designated sites. These comments are discussed in paragraphs 6.22 and 6.26 below.
- 5.4 The Council's Public Rights of Way service has advised that provided the proposed works to public footpath R46 are carried out in accordance with all necessary consents and at no cost to the Council it has no objection. It has requested whether the proposed works to this public footpath could be secured by way of a planning obligation.

External Consultees

- 5.5 The IW AONB Partnership (Wight AONB) has objected as it considers the development to be visually intrusive and alien, fails to compliment the character of the AONB by causing adverse visual and landscape impacts, and has raised concerns with the effect the development has had on the ancient woodland at Kingarth. It considers the proposal to be contrary to policies SP5, DM2, DM12 and DM15 of the CS and policies P1, P15, P16, P24, P29 and P45, as well as Objectives 1 and 6, of the AONB Management Plan.
- 5.6 Natural England has advised that it considers that coastal defence works should be undertaken in line with the Council's Shoreline Management Plan (SMP) and in a manner that minimises adverse effects upon coastal processes. Natural England has confirmed that provided the works are carried out in strict accordance with the details of the application, the proposed works would not have a significant effect on the designated pSPA (Solent and Dorset potential Special Protection Area), SPA and Ramsar sites or an adverse effect upon the interest features of the designated SSSI site. To ensure this, conditions have been recommended to control the timing of works, materials/treatments used and removal of any remaining materials/debris following completion of the works.
- 5.7 The Environment Agency has raised no objections.

Parish/Town Council Comments

- 5.8 Ryde Town Council objects on the basis that this stretch of coastline is an area of no active intervention. As such it considers that allowing the proposed structure to stand would set a precedent that could result in a proliferation of further sea defence works along the foreshore.

Third Party Representations

- 5.9 Comments have been received 19 third parties, the majority local residents, who support the proposal for the following reasons:
- The coast would be visually enhanced and the structure, including the materials used, would be in keeping with the surrounding coastline and landscape;
 - The land would be protected from coastal erosion;
 - Public access to the beach would be improved;
 - The beach would be a safer environment for its users;
 - Removal of structure would exacerbate erosion and damage neighbouring property and would have a detrimental effect on the beach;
 - The wall and slipway that has been constructed has replaced previously

- existing structures/defences;
- Rear garden cannot be described as 'ancient woodland';
- Comments made by the IW AONB Partnership are subjective.

6. **Evaluation**

Impact on coastal change/management

6.1 Policy DM15 of the CS sets out the Council's approach to managing development in coastal areas affected by coastal change. It expects development proposals to:

1. Take a sustainable and practicable approach to coastal protection and flood risk management;
2. Support appropriate defences and/or other management approaches for the built-up areas of the Island, to a level consistent with predicted sea level rise and increased water flows arising from climate change.

This policy does state that the Council will support this approach by identifying Coastal Change Management Areas (CCMAs) within a Flood Risk and Vulnerable Coastal Communities SPD. However, at this time, this SPD has not been adopted.

Paragraph 7.257 of the CS explains that for this policy, coastal change means physical change to the shoreline (i.e. erosion, coastal landslip, permanent inundation and coastal accretion).

Whilst no CCMAs have been currently been adopted by the Council, paragraph 7.259 of the CS explains that the Shoreline Management Plan (SMP), which covers the coast around the Island, identifies management approaches and policies for defending the coastline of the Island over the next 100 years and these will have implications for coastal development. It identifies locations for coastal protection and flood defence works. Paragraph 7.260 adds that in identifying parts of the Island's coast where defence may no longer occur, the SMP supports Government objectives of a sustainable approach to coastal development that seeks to work with natural processes, this approach is likely to result in multiple benefits, including:

- Taking pressure off existing defended areas;
- Provide potential habitat gains;
- Highlight areas where inappropriate development should be avoided.

6.2 The SMP identifies the application site as being located within a stretch of coastline (Policy Development Zone 2 – Ryde and the North-east Coastline (PDZ2)), which is approximately 22km in length stretching from Old Castle Point (East Cowes) to Horestone Point (Nettlestone). This zone is further divided into a number of policy units and the site falls within policy unit PU2B.8

(Quarr and Binstead), where the preferred policy approach is one of 'No Active Intervention'. The SMP explains that for PDZ2, the principal aim over the whole area is to maintain the important regional national economic viability of the area and as such the policy throughout the area is to continue to defend the key built and recreational assets, but to allow and encourage natural adaptation to sea level rise along the remainder of the coast and estuary. For Quarr and Binstead, the policy set out in the SMP is to not undertake any management along this undefended frontage, fully supporting nature conservation interests (see page 145 of the SMP).

6.3 It is explained within the SMP that 'No Active Intervention' (NAI) means that in these areas there is to be no investment in coastal defences or operations. It adds that this policy of NAI has developed from two distinct sets of circumstances:

- (1) The SMP has identified the need for the coast to be allowed to develop naturally; or
- (2) Where it is unlikely that operating authorities would provide funding for defence.

The SMP does explain that privately funded works may still be permissible, however, there may be conditions associated with this such that private works do not result in negative impacts on other interests.

6.4 It is discussed at p.136 of the SMP that at Quarr and Binstead the coastline should be left to evolve naturally with ongoing monitoring. For this particular stretch of coastline, which is predominantly characterised by sporadic development and gentle wooded coastal slopes, the SMP is clear that the NAI approach would have landscape and nature conservation benefits as it would allow the natural environment to develop, with the roll back of the coast enabling the extension of intertidal flats to the benefit of the Solent and Southampton Water SPA/Ramsar designations.

6.5 The Council's Principal Coastal Engineer has commented that the Council adopted the second generation SMP in 2010 and that the key aim of this was to understand how the coast would change over the next 100 years and to identify the preferred coastal defence option for how the Council wished to see the coastline managed over the coming century, broken down into 3 epochs 0-20 years, 20-50 years and 50-100 years. He has objected on behalf of the Coastal Protection Authority, on the basis that the development proposed goes against the policy set out in the SMP for this stretch of coastline, which he has advised is for the coast to evolve naturally without the introduction of new defences. He has commented that whilst property owners are able to exercise their rights to maintain existing defences, it is inherent in adopting NAI that the Council wished to see the coastline change naturally in the future by preventing the construction of new defences.

- 6.6 Whilst the approach of NAI would not prevent the maintenance of existing private defences, the SMP is clear that where existing localised defences along this stretch of coast fail, they should not be repaired or replaced. The proposed development does not constitute maintenance of the former defences at Kingarth, which have been overwhelmed, with the previous line of these being some 16m-30m to the north of the current wall.
- 6.7 The applicant has submitted an assessment of the impact of the defences on coastal processes, prepared by RPS Consulting Engineers, and this correctly identifies that the policy for this area is one of NAI. It also recognises that existing defences in the area that are overwhelmed by a combination of natural erosion and sea level rise should not be replaced or strengthened. However, it goes on to state that the timber structure that has been constructed does not currently affect coastal processes as it has been built at the top of the beach behind the remains of previous defences, that this is expected to be the case for approximately the next 20 years, and that removal of the timber structure during this time is unlikely to have any benefit to the coastal processes of the area and may have a detrimental impact on the upper beach and surrounding area.
- 6.8 Whilst the RPS assessment maintains that the timber structure is not likely to affect coastal processes for approximately the next 20 years, it also states that it offers protection for a number of outfalls which drain land and property in the vicinity and that by the end of epoch 1 of the SMP (within the next 20 years), sea level rise and the deterioration of existing hard defences in the area are likely to result in coastal retreat of the shoreline and that at this time physical removal of the timber structure (if it is still in place) would be required in any event as coastal erosion is likely to undermine the foundation of the (now proposed) timber structure. The assessment states that at this time the structure is likely to become a safety hazard and may contribute to the decline in the environmental conditions in the area and removal would enable the unimpeded natural retreat of the coastline in line with current SMP policy.
- 6.9 Officers would comment that the RPS assessment recognises that the SMP policy for this stretch of coastline is NAI, to allow the coast to naturally evolve and for existing defences to not be strengthened or replaced. It does not justify why in this particular case it is necessary to deviate from this management approach, when as the RPS report states this sea wall will over the next 20 years be impacted by a combination of sea level rise and erosion and will itself become a hazard and require removal. It is apparent from a site visit, particularly at high tide, that the existing defences at Kingarth have already been overwhelmed and that whilst remnants of this former structure may offer some relief from wave action and coastal erosion, it is clear these defences have substantially failed. As such officers, including the Council's Principal Coastal Engineer, consider that structure would affect, or be affected by, coastal processes and/or the natural evolution of this part of the coastline over

its lifetime and that its construction (which has already largely been completed) is contrary to the aims and preferred management approach set out in the SMP. In addition, there is concern that this proposal would set an undesirable precedent for other property owners in the area, or in other areas of the Island, where NAI is the preferred management approach, who in the future may also wish to replace failed/failing defences with new defences. Approving this development would make it difficult for the LPA to object to similar schemes therefore undermining the SMP.

- 6.10 It is for the reasons explained above, that the proposal is considered to be an inappropriate and unsustainable form of coastal development contrary to the aims of the Isle of Wight Shoreline Management Plan and policy DM15 of the CS.

Impact on the AONB

- 6.11 This stretch of the Island's coastline, within which the application site is situated, is predominantly characterised by undeveloped, gently sloping, coastal woodland, with the domestic gardens of some of the existing residential properties in the area extending down to the beach. Because of this there are a few examples of domestic outbuildings and historic boundary treatments and slipways that interrupt and detract from the otherwise naturally evolving wooded character and scenic beauty of this part of the Island's coastline.
- 6.12 The images provided within the applicant's Landscape and Visual Impact Assessment (LVIA) show that what Wight AONB has deemed "a regimented and heavily engineered" development appears as an incongruous and alien feature within this largely undeveloped wooded coastline. These images also show how the sea wall adds to the existing domestic clutter to the west, further degrading and detracting from the natural scenic beauty of this landscape and seascape, which forms part of the Wight AONB. Views of this area are formed of gently sloping woodland and farmland, with little evidence of development.
- 6.13 The LVIA submitted by the applicant concludes that the seawall as proposed **causes adverse effects** on the landscape character (including seascape) and the AONB at a very localised level and that these effects are predominantly of negligible significance and acceptable in landscape terms. It is argued that this is due to the very limited visibility of the proposed sea wall and slipway, removal of a number of old structures, and the mitigation measures proposed to reduce the perceived height of the sea wall and its visibility from the public right of way and to enhance and strengthen the woodland. It is also advocated that the sea wall would afford protection to the woodland, protecting this asset.
- 6.14 In terms of the mitigation measures proposed, these are to place more locally sourced stone at the base of the wall to create a more natural and irregular

transition from the shingle beach to the timber structure and to undertake tree and shrub planting within the site to reinforce and enhance the wooded character of the coast. The sea wall and slipway are visible from the adjacent public footpath R46, neighbouring property and to those walking the beach and passing the site in the sea. The suggested mitigation measures would not “camouflage” or reduce the height or hard appearance of this structure, but would exacerbate its incongruous nature, as a manmade structure in a natural landscape.

- 6.15 Having regard to the above, it is considered that the proposal would fail to compliment the character of the surrounding area and the character of the Wight AONB, but would have an adverse impact upon it and the character of the coast and seascape contrary to the aims of policies SP5, DM2, DM12 and DM15 of the CS and the aims of policies P1 and P45 of the AONB Management Plan, which seek to ensure development proposals compliment the character and local distinctiveness of the surrounding area and would protect, conserve and enhance the Island’s landscape and seascape.

Impact to trees/woodland, ecology and biodiversity

- 6.16 The grounds of Kingarth contain a number of trees protected by tree preservation orders and the northern part of the site is subject to a woodland tree preservation order to protect the ancient semi-natural woodland (ASNW) within this part of the site. The application is supported by a tree survey and arboricultural implications assessment, which affords these coastal trees a grade A, when these trees are considered as a group in the landscape.
- 6.17 The submitted assessment explains that the development would not require the removal of existing trees and that the construction of the sea wall has halted damage to trees affected by coastal erosion and resulted in the reclamation of land around these trees and recovering of exposed roots. It is stated that this would be beneficial to these trees by restabilising the trees and providing more soil and feeding area for the recolonization of new roots from the trees that were lost by erosion. It is also explained that the partial construction of the development has left the root protection area of one of the Scot Pine trees reduced by a partial excavation and that if left exposed for a long period of time, this may cause further desiccation of the soils within its root protection area (RPA) to the detriment of this tree’s health in the long term.
- 6.18 Natural England and the Council’s Tree Officer have commented that the works associated with the construction of the sea wall to date have had a devastating impact on the existing ancient woodland. The Tree Officer has advised that the works that have been carried out have resulted in:
- the removal of several coppice stools that were the result of tree work

- that caused the initial woodland TPO to be placed on the area;
- loss of the seed bank that was in the soil that would have reinstated the ASNW, which has almost sterilised the bank behind the wall;
- exposed and fractured the roots of several trees, in particular the medium sized pine on the coastal boundary.

The impacts to the ancient woodland cannot be mitigated as ancient woodland is an irreplaceable resource. The Tree Officer has commented that the impact of the construction of the sea wall and slipway on existing trees and the woodland area has already been inflicted and as such retention of the structure would have no greater impact than has already occurred.

- 6.19 Natural England has commented that given the ancient woodland soils have been replaced and trees have been removed, the ancient woodland has been destroyed and it is impossible to mitigate for this loss now that damage has been done. NE has commented that if the application had been submitted before works had commenced, further information would have been requested by NE on how damage to the ancient woodland would have been avoided and a net gain for biodiversity would be achieved. NE has advised that there could have been impacts to bats and stag beetles, but as no surveys were done this remains uncertain. Recognising that ancient woodland cannot be replaced or mitigated for, NE has advised that this biodiversity loss should be addressed by securing the following: restoration of the soils (if the old soil was retained); planting of native trees; the provision of bat and bird boxes in the surrounding area; and a financial contribution toward biodiversity enhancements nearby.
- 6.20 The applicant has proposed to undertake additional tree and shrub planting within the site to reinstate and enhance the impacted woodland. This is detailed within the submitted Arboricultural Method Statement and Landscape Planting Specification. The Tree Officer has commented that the planting plan provided is purely a template with no detail of species or intended position of trees and it describes a hedge which is inappropriate for a woodland area. He has commented that a plan for re-instatement of this woodland should cover all aspects of fauna and be prepared by those with expertise in managing ASNW. At present, it is considered that the submitted information fails to recognise the impacts caused to the woodland by this development and does not provide sufficient details of planting to mitigate and compensate for those impacts. Whilst the ancient woodland cannot be restored and there are concerns with the proposed planting scheme suggested by the applicant, it is considered that a planting scheme for the site as well as any biodiversity enhancements or financial contribution towards such enhancements, including those to Keys Wood SINC as suggested by the applicant, could be secured by planning conditions and, in terms of financial contributions, a planning obligation.
- 6.21 The development does impact upon the Solent and Southampton Water SPA/Ramsar site. Whilst the wall itself is located outside of this designated

site, the slipway does extend into it with coverage of about 8.8 square metres. It is maintained by the applicant that the development does not result in the loss of functional habitat (in that it was not used by any one of the interest features for which the SPA/Ramsar are designated), that it does not constitute Priority Habitat within the meaning of Section 41 of the Natural Environment and Rural Communities Act 2006 and that the slipway replaced an earlier concrete slipway which extended further into this designated area, with coverage of about 12 square metres. The remnants of this earlier structure have been removed from the designated site. The applicant states that this clearance in combination with the open design of the new slipway results in a net gain of functional habitat in the form of creation of new intertidal habitat through the removal of debris of previous structures. The applicant maintains therefore that this should be viewed as an enhancement to the SPA/Ramsar site.

6.22 The Council's Ecology Officer has raised concerns that the development would have a negative and permanent impact on the natural processes affecting the site, including to ecology and designated (SSSI and SPA/Ramsar) sites. In terms of the sea wall and slipway, her concerns are that this development would result in a permanent loss of potential habitat, particularly given the relatively undeveloped nature of this section of coast and its unique relationship with the terrestrial ancient woodland landscape. However, the Ecology Officer has commented that Natural England is better placed to determine impacts to these designated sites.

6.23 Natural England (NE) has commented that construction of coastal defence works should be undertaken in line with the Council's Shoreline Management Plan (SMP) and in a manner that minimises adverse effects upon natural coastal processes. NE has also advised that, provided the works are carried out in strict accordance with the details of the application, it can be excluded that the proposal will have a significant effect on the following designated sites:

- Ryde Sands and Wootton Creek SSSI
- Solent and Dorset Coast potential Special Protection Area (pSPA)
- Solent and Southampton Water Special Protection Area (SPA)
- Solent and Southampton Water Wetland of International Importance under the Ramsar Convention (Ramsar site)

As discussed above, in terms of terrestrial impacts of the development, NE has advised that measures to compensate for biodiversity loss within the site and a financial contribution towards biodiversity enhancements elsewhere locally should be secured.

6.24 The applicant has submitted proposals for environmental enhancement at Kingarth. This suggests two projects, one terrestrial and one marine. The former terrestrial scheme concerns the conservation management of Keys

Wood SINC, which is within the Kingarth property boundary, the latter marine scheme considers the establishment and management of seagrass beds in the bay north-east of Kingarth. The Council's Ecology Officer has raised concerns that the seagrass project proposed has no guarantee of success and could prove unviable and so cannot be considered an enhancement.

- 6.25 In summary, the development, and works associated within it, have had a serious adverse impact upon the ASNW at Kingarth and may have potentially impacted upon protected species. Whilst these impacts/potential impacts may have already occurred and damage to the ASNW cannot be undone or mitigated for, it is considered that additional planting and provision of biodiversity enhancements within the site and the adjacent Keys Wood SINC could see the woodland character of the coast reinforced and enhanced and improvements to biodiversity locally. Whilst officers have concerns that the measures and details currently provided by the applicant are inadequate, this could be addressed by requiring a planting scheme and biodiversity enhancements measures, as well as any financial contribution toward biodiversity enhancements locally, to be agreed with the Local Planning Authority. This could be achieved through the use of appropriate planning conditions and a planning obligation to ensure that the proposal would provide adequate mitigation and compensation for tree/woodland and biodiversity loss that has occurred as a result of the development and that the opportunities would be taken to enhance biodiversity in accordance with the aims of policies DM2 and DM12 of the CS and the NPPF, which require development proposals to have regard to trees, wildlife and other features that contribute to the character of the area, to conserve, enhance and promote the landscape, seascape, biodiversity and geological interests of the Island, and that opportunities are taken to incorporate biodiversity in and around developments.

Other issues – Public Access

- 6.26 The applicant states that the development offers public benefits in terms of an enhanced and safer public access to the beach. Public footpath R46 does provide direct access to the beach from Quarr Road, but there is no designated public right of way across this stretch of privately owned beaches. In addition the beach is not designated as open access land under the Countryside and Rights of Way (CROW) Act. The defined coastal path follows the route of public right of way R45, which is along Quarr Road. Whilst the Council's Public Rights of Way Service is supportive of the improvements to R46 proposed by the applicant, the Council's Ecology Officer has raised concerns that this may result in increased recreational disturbance within the Solent SPA/Ramsar site. That said, it is considered that although improved access might encourage additional use, given steps had previously existed, such impacts on the Solent SPA/Ramsar site are unlikely to be significant.

6.27 The enhancement of R46 would offer some public benefit, but given this is a NAI frontage, where the coast is expected to continue to erode and naturally evolve, that there is not designated right of way across the beach, and taking into consideration the RPS assessment that the timber structure itself would become a hazard and may impact on the environmental conditions of this area over the next 20 years, when it is undermined by coastal erosion and sea level rise, it is considered that such benefits would not outweigh the harmful impacts identified above in terms of coastal change and management and visual impact on the AONB.

7. Conclusion

7.1 For the above reasons, it is considered that the proposal would be contrary to the preferred approach set out in the SMP in terms of the management of this stretch of the Island's coastline, which seeks to allow the coast at Quarr and Binstead to change and evolve naturally by avoiding inappropriate coastal development, particularly in the form of new and replacement defences, within this designated area of No Active Intervention (NAI). In addition to the above, it is considered that the design and appearance of the development is incongruous within the context of its surroundings and the wider landscape/seascape, which is characterised by gentle wooded coastal slopes and beaches, and would fail to preserve and enhance the character and appearance of this Area of Outstanding Natural Beauty, as referred to by the AONB Partnership.

7.2 Whilst it is considered that measures to mitigate and compensate for biodiversity loss could be secured by planning conditions and a planning obligation and that there may be some small public benefits from improved access to the beach, it is considered that these benefits measures/benefits would not outweigh the concerns raised above in terms of coastal change/management and the Wight AONB's landscape/seascape character.

7.3 Taking into consideration all of the above, it is concluded that the proposal would not constitute sustainable development, but would be contrary to the aims of policies SP5, DM2, DM12 and DM15 of the CS, the aims of the Isle of Wight Shoreline Management Plan, policies of the AONB Management Plan and paragraphs 109, 115 and 118 of the NPPF.

8. Recommendation

8.1 Refusal

9. Statement of Proactive Working

9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic,

social and environmental conditions of the area. 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.

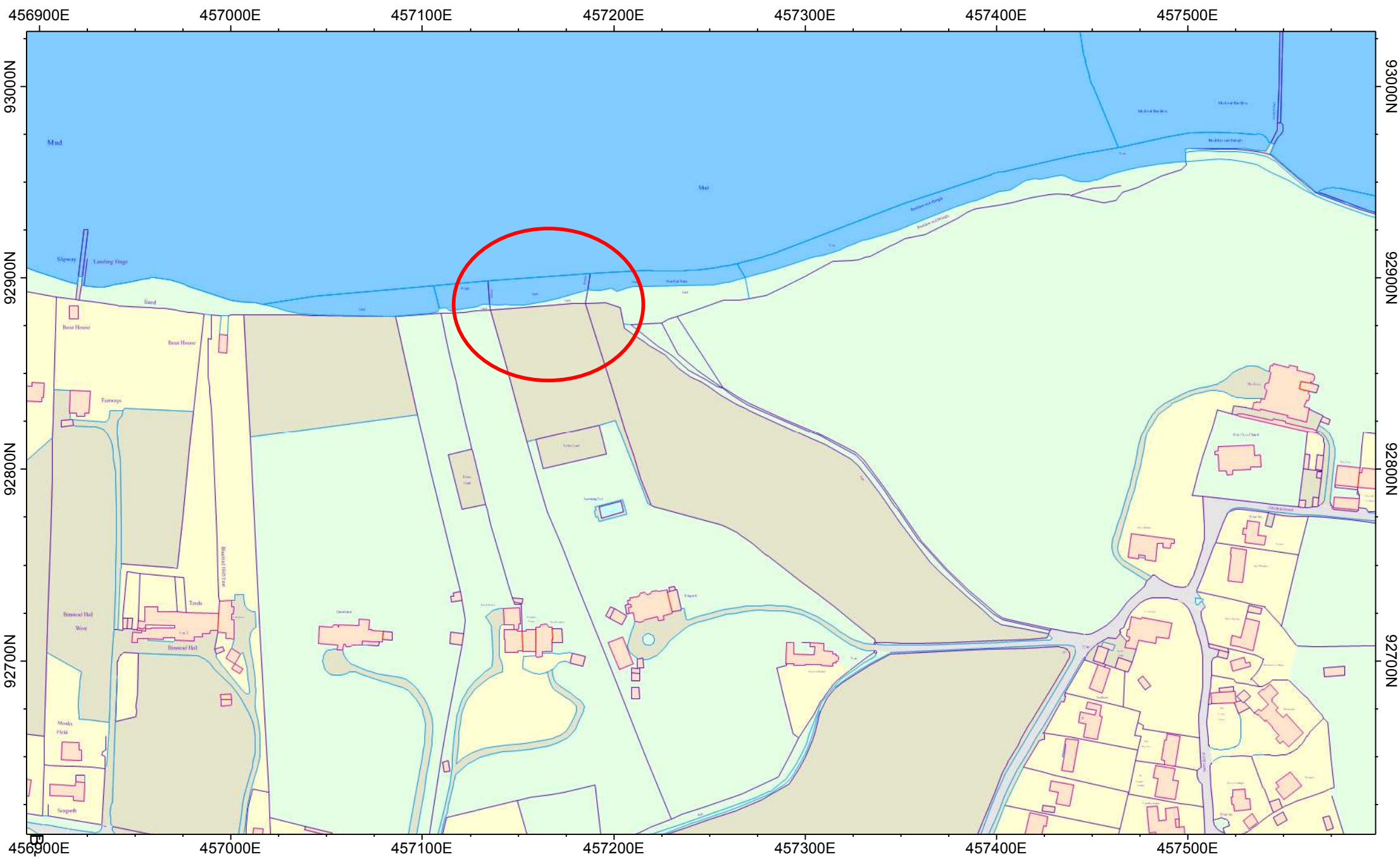
In this instance:

- The applicant was provided with pre-application advice;
- The applicant was updated during the application and advised of any concerns, with reflected those raised at pre-application stage;
- The applicant was given the opportunity to provide additional information in response to the concerns raised.

For the reasons set out above, the application is not considered to be a sustainable form of development and therefore no further discussions were undertaken.

Reasons

- 1 The proposal, being located within an area of 'No Active Intervention', would not be a sustainable form of coastal development and would be contrary to the preferred coastal management approach for this stretch of the Island's coastline set out within the Isle of Wight Shoreline Management Plan 2 (SMP2) contrary to the aims of the SMP2 and policy DM15 (Coastal Management) of the Island Plan Core Strategy and the National Planning Policy Framework.
- 2 The proposal, by reason of its position, size, design and appearance, would be a visually intrusive development that would fail to preserve or enhance the character and appearance of the area, which is part of the Isle of Wight Area of Outstanding Natural Beauty (Wight AONB), and would have a serious adverse impact on the character of this part of the Island's landscape and seascape contrary to the aims of policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM15 (Coastal Management) of the Island Plan Core Strategy, the National Planning Policy Framework and the aims of policies P1 and P45 of the Isle of Wight Area of Outstanding Natural Beauty Management Plan 2014-2019.



Scale 1:2500



P/00331/17 - Kingarth House, Church Road, Binstead, Ryde, Isle Of Wight, PO333SZ

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Ordnance Survey 100019229

02 Reference Number: P/00395/17

Description of application: Outline application to provide 9 new residential units with access and layout to be established (revised plans)(readadvertised)

Site Address: land rear of 15 to 18 Priory Walk and adjacent to 17, Chatfeild Road, Niton, Ventnor, Isle Of Wight, PO38

Applicant: Mr Glen Hepburn

This application is recommended for Conditional Permission

REASON FOR COMMITTEE CONSIDERATION

The Local Ward Member has requested that the application is determined by the committee for the following reasons:

- Visibility and access into Chatfeild Rd and highway safety
- Impact on neighbours
- Drainage and sewerage
- Flood risk
- Impact on surrounding environment
- Affordable housing

MAIN CONSIDERATIONS

- Principle of the proposed development
- Impact on the character of the area
- Impact on neighbouring properties
- Ecology
- Highway considerations
- Flood risk/drainage

1. Location and Site Characteristics

1.1 The application site is an area of approximately 0.7 hectares and forms part of a larger field which extends from the rear of properties in Priory Walk in a north-easterly direction. As the site is currently part of a wider field the north-eastern boundary is open and currently arbitrary.

1.2. The land slopes up from Chatfeild Road to the north-western boundary, which comprises trees/vegetation, screening views towards the fields beyond. A

hedgerow extends along the common boundary with Chatfeild Rd with an existing access in the southern corner. A hedge extends along the boundary with the properties in Priory Walk along with other forms of enclosure including fences and walls.

2. Details of Application

- 2.1 The application seeks outline permission for nine residential units. Access and layout are the matters put forward for full consideration as part of this application, with appearance, landscaping and scale set aside for a future reserved matters application.
- 2.2 A new access from Chatfeild Road would be created, which would lead to the 9 dwellings spaced to either side of the proposed access road and at the end of a turning head. Each dwelling would have two parking spaces. A bridge would extend over the existing stream.
- 2.3 The application has been revised during the determination process to amend the layout and extend the site boundary in a north-easterly directly.
- 2.4 Two indicative plans showing elevations have been submitted showing alternative schemes. One indicates the dwellings would be detached bungalows with overall heights ranging between 5m and 6m, whilst the other indicates they would be two storey detached houses ranging in height between 8 and 8.6m, however, it is noted that scale and design are both reserved matters. Supporting information indicate the properties could have 2, 3 or 4 bedrooms.

3. Relevant History

- 3.1. No recent/relevant planning history.

4. Development Plan Policy

National Planning Policy

4.1. National Planning Policy Framework

- Section 6 – Delivering a wide choice of quality homes
- Section 7 - Requiring Good Design.
- Section 11 - Conserving and enhancing the natural environment

Section 7 (paras 56-68) outlines the importance of good design, stating that good design is a key aspect of sustainable design. It outlines that design policies and planning decisions should respond to local character without preventing innovation or being overly prescriptive. This section outlines that proposals should promote or reinforce local distinctiveness and proposals

which are of poor design, which fail to enhance areas should be refused.

Local Planning Policy

- 4.2 The Island Plan Core Strategy defines the application site as being immediately adjacent to Niton Rural Service Centre Settlement Boundary. The following policies are relevant to this application:
- SP1 Spatial Strategy
 - SP2 Housing
 - SP5 Environment
 - SP7 Travel
 - DM1 Sustainable Build Criteria for New Development
 - DM2 Design Criteria for New Development
 - DM3 Balanced Mix of Housing
 - DM12 Landscape, Seascape, Biodiversity and Geodiversity
 - DM14 Flood Risk
 - DM13 Green Infrastructure
 - DM17 Sustainable Travel
- 4.3 The Housing Mis-Match Report 2013
- 4.4 Isle of Wight - Strategic Housing Market Assessment (SHMA) - June 2014
- 4.5 The Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD) was adopted by the Isle of Wight Council at its Executive meeting on 12 January 2017 and came into force on 23 January 2017.
- 4.6 The Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD) was adopted by the Isle of Wight Council at its Executive meeting on 12 January 2017 and came into force on 23 January 2017.
- 4.7 The Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document (SPD) was adopted by the Isle of Wight Council at its Executive meeting on 12 January 2017 and came into force on 23 January 2017.
- 4.8 Niton and Whitwell Parish Plan 2013 was adopted as a Supplementary Planning Document June 2014. The following sections are considered relevant
- There have been infills, some of which has been sensitively designed to enhance the character of the village whilst others have not;
 - It takes note of the Island's annual housing target of 520 units (Core Strategy 1.24) and other extracts from the Core Strategy document: No housing allocations have been made. Rather the general locations for, and levels of, housing have been identified; Potential development sites

have undergone a strategic level viability assessment as part of the Strategic Housing Land Availability Assessment (SHLAA) process;

- Both villages should retain their independence was consistent with a rejection of ribbon development.

4.9 Niton and Whitwell Housing Needs Survey 2014-2019 (November 2014) with the following key points:

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

5. Consultee and Third Party Comments

Internal Consultees

5.1 The Highway Authority has raised no objections, subject to the imposition of conditions requiring the space for parking and on-site manoeuvring to be provided before occupation and for it to be drained, details of visibility/splay lines, details of steps to ensure material is not deposited on the highway during construction to be submitted, along with the provision of highway improvements (crossing, bus stop kerbing) and a footway link.

5.2 The Council's Engineer with a remit for drainage states that permeability tests would be required to support use of soakaway or that consideration be given to piping and discharging water to the water course downstream [See drainage section below].

5.3 The Council's Tree Officer has raised no objections following the submission of a Tree Report and revised plans which included moving one of the units away from a tree of high amenity. Conditions are suggested.

5.4 The Council's Ecology Officer has raised no objections following the submission of wildlife surveys/reports and with the imposition of conditions.

5.5 The Council's Rights of Way Manager has raised no objections but has stated that the development would lead to an increase in the use of the nearby bridleway which provides an off road link to the village of Whitwell for walkers, cyclists and horse riders and therefore it would be appropriate to require a financial contribution to carry out further works to the surface [Case Officer Note: the applicant has agreed to this and will be entering into a legal agreement].

External Consultees

- 5.6 Southern Water has raised no objections, subject to conditions and informatives.

Parish/Town Council Comments

- 5.7 Niton and Whitwell Parish Council raise an objection on the following grounds:
- Insufficient information to demonstrate how the development of the site will enhance the character and context of the local area;
 - Insufficient information on housing need;
 - Lack of provision for affordable housing;
 - Impact on privacy of neighbouring dwellings;
 - Detrimental environmental impact on the upper part of the east river Yar;
 - Concerns this is piecemeal development as applicant owns further land adjoining the site and potential ribbon style development towards Whitwell;
 - Insufficient information on drainage strategy;
 - Insufficient information on community involvement;
 - Concerns on local sewerage system – the infrastructure is already inadequate and failing.
 - Initial comments also raised concern regarding highway safety at the point of access to Chatfeild Road, an overdevelopment of the site and on visual impact.

Third Party Representations

- 5.8 17 third parties have commented (some have commented several times and it is noted that only 3 have been received following the latest revised plans and advertisement of the application), the content of which can be summarised as follows:

Principle

- Sequentially there are better sites for development in the service centre which should come forward first;
- Does not take into account the housing needs as defined by the housing needs survey;
- No robust justification to demonstrate need;
- No analysis that other applications have met the proposed housing need;
- No information about other alternative sites;
- Only exempt from affordable housing if bungalows (due to number of dwellings and government statement referring to schemes of 1000 sqm and above);

- Could be further applications within adjacent land and concerns that this application and other will avoid need for affordable housing;
- Refers to two other developments in Niton (x4 at Football Field and x5 at The Fields) which fulfil the housing needs survey;
- Site is outside the development envelope of the village of Niton;

Design/Character of area

- Considers it inappropriate that the scale, height and mass of the proposed dwellings are determined at reserved matters stage and should determine this at outline stage (2 storeys would lead to significant overlooking and loss of privacy);
- Density is too high. [Case Officer Note: again comment received prior to revised plans and no further comment received];
- The CPRE initially stated concerns that the site would be cramped but then acknowledged that the revised plans significantly improve the scheme in terms of layout although noting that this is only in outline stage therefore cannot comment on design and scale also noting that they appear to be large 3 or 4 bedroom houses (and also query whether the applicant can then demonstrate the need for these houses);
- Does not consider the development would “square off” to the houses on the opposite side of Chatfeild Rd;
- Ambiguous about the proposed houses – maybe bungalows, maybe chalet bungalows, maybe two storey;
- Proposed development is for houses which would be out of character here which is mainly bungalows;
- Will start ribbon development towards Whitwell;

Impact on neighbours

- Impact on privacy with closeness of the dwellings to Priory Walk;
 - Overshadowing and over dominate these dwellings;
- [Case Officer Note: these comments received prior to revised plans moving dwellings away from this boundary – no further comments received after revised plans];
- Consideration needs to be given to the slope of the land to the north of the site which could result in less privacy for Priory Walk;
 - At most they should be chalet bungalows with only Velux windows in the roof with a proviso that no dormer windows should be allowed at a later date;

Highways

- Concerns of highway safety and that speed limit restriction should be extended to include the new access point;
- Since closure of Undercliffe Drive, Chatfeild Rd has become very busy;

Drainage

- The application site is wet due to numerous springs and use of soakaways would be impractical and proposal would add to drainage/flooding issues;
- Soil is clay and doesn't drain easily;
- Sewage system is not coping and would not cope with additional houses;
- Building line too close to the main drainage pipe running along the boundary with Priory Walk [Case Officer Note: comment received before revised plans and further comments from this third party do not reiterate this matter]

Ecology

- Ensure no impacts on ecology (water voles have been seen in the Yar river to the east of the site);
- Loss of wildlife with evidence of badger runs, foxes, variety of birds;

Other matters

- Bus service referred to has been reduced;
- Doctors and school already over-stretched

5.9 It should be noted that concerns raised on the potentials devaluing of the value of nearby properties, loss of views and the spelling mistake of the application site address (on the submitted details) are not material planning considerations.

6. Evaluation

Principle

6.1 The site lies immediately adjacent to the Niton Rural Service Centre Settlement Boundary wherein Policy SP1 of the Island Plan Core Strategy encourages new development to be located. SP1 states that appropriate land is considered to be deliverable "*within or immediately adjacent, the settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres*". The site is therefore considered to be a sustainable location where Policy SP1 would look to support residential development.

6.2 In such locations, the supporting text of SP1 outlines that proposals for the development of greenfield sites will need to demonstrate that deliverable previously-developed land (PDL) is not available, and that an identified local need will be met. In addition, Policy SP1 requires applications on non-previously developed land to clearly demonstrate how it will enhance the character and context of the local area. Subject to these requirements, where an adequate justification has been demonstrated, Policy SP1 supports new development in areas such as this.

6.3 In addition to the requirements of Policy SP1, Policy SP2 of the Core Strategy confirms that 980 dwellings will be delivered at locations within Rural Services Centres and the Wider Rural Area over the period 2011 – 2027. To ensure these targets are met, the Council will permit development in accordance with the provisions and policies of the Core Strategy. The application, in very general terms, seeks to achieve a proportion of this requirement although this report will discuss in detail the needs of the area within which the site is located.

6.4 Niton & Whitwell Housing Needs Survey 2014-2019 was published in November 2014. This is a comprehensive document "designed to understand residents' current housing circumstances and their future housing needs" over a five year period. This identifies within Niton there is a need for 3xowner-occupied units and 3xopen-market rental units, these units would comprise of 1-bed and 4-bed units. This proposed scheme is an outline application with appearance and scale not being considered at this stage and therefore the number of bedrooms is not set out but that supporting information does indicate that the properties would have 2, 3 or 4 bedrooms and therefore may not strictly meet the requirements of this survey. It should be noted however that, the Housing Needs Survey only relates to a 5 year period, while it is necessary to build housing to meet a need which would exist post this period. Furthermore, should a range of unit types be made available, this could give the opportunity for existing residents in 1 or 4 bedroom houses to 'right-size' freeing these units in the market. Furthermore, in considering this issue there are various other sources of information which must be considered, including the requirements of SP2 and the Strategic Housing Market Assessment.

6.5 Policy SP2 of the Core Strategy outlines that the strategy provides for 8,320 dwellings for the Island over the plan period (2011 to 2027), which equates to an average of 520 dwellings per year. It envisages that 980 of these dwellings will be delivered through smaller scale development within Rural Services Centres and the Wider Rural Area. Officers recognise that this is a broad and strategic target for housing delivery over the plan period and does not specifically set out how development in and around Niton would contribute to this overall strategic target. The Strategic Housing Market Assessment (SHMA) does evidence that for the Rural West Wight housing sub-market area (within which Niton is located) there is an annual requirement of 37 new homes (see Table 38 on p.103). Furthermore, this document states that the following housing mix will be required for this sub-market area:

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

The proposed development would contribute towards meeting this need.

- 6.6 Officers note there have been some approvals relatively recently for new dwellings in the village, including 4 dwellings at Niton Football Ground and the change of use from holiday units to permanent residential at Niton Manor Farm (converted barns) and 5 dwellings at Fields Nursery. These developments would accommodate some of the need but not all.
- 6.7 Officers have considered these permissions and other potentially available land in the village and having reviewed information submitted by the applicant and undertaken our own assessments officers consider no vacant or previously-developed land is currently available that could accommodate the proposed development, and that in order to meet the housing needs and demands over the plan period, which exceeds the timescales of the Housing Needs Survey, it is necessary for greenfield sites to be considered for development. It is therefore considered that in relation to the sequential test requirement of the supporting text of policy SP1, the proposal would be acceptable.
- 6.8 Officers note that in recent appeal decisions for Blanchards in Brightstone and Hazley Combe in Arreton Inspectors have considered that residential development within or immediately adjacent to Rural Service Centres is acceptable in principle, that development in such areas would be sustainable, and development may provide for more units than any identified local need. They also reaffirm that Rural Service Centres are expected to accommodate a significant number of new houses over the Plan period, and that although such development would be “smaller-scale” in relation to the Island-wide housing provision which is different to being “small-scale”.
- 6.9 Whilst it is accepted that the application proposal is materially different to these Appeal schemes, the Appeal outcomes must be afforded weight in the planning balance as there are similar circumstances and the policy context is very similar. Officers do not therefore consider that there is a sustainable objection to the proposals on matters relating to principle. The site is considered to be within a sustainable location.

Impact on the character of the area

- 6.10 Policies DM2 and DM12 of the CS require development proposals to be of a high quality of design, to compliment the character of the surrounding area, and to conserve, enhance and promote the Island’s landscape. Policy SP1 also states that in all cases development on non-previously developed land will need to clearly demonstrate how it will enhance the character and context of the local area.
- 6.11 In respect of the aims of Policy SP1, Officers note that in a recent appeal decision relating to a development proposal at Place Road, Cowes, the Planning Inspector discussed the issue of developing on non-previously

developed (greenfield) land and the landscape impact of this. Within the decision the Inspector made the following comments:

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

Having due regard to this officers accept that some harm to the local context would occur but this can be reduce and mitigated through appropriate design and landscaping, to ensure that it is balanced against housing delivery.

- 6.12 The application site is adjacent to Priory Walk, a more modern cul-de-sac development comprising bungalows with gardens backing onto the site. Whilst this outline proposal does not include scale and appearance at this stage, the layouts provided and indicative plans showing the dwellings to be houses or bungalows. Whilst it is acknowledged there is a mix of styles and sizes of dwellings within the immediate area, given the site is immediately adjacent to Priory Walk and that this development is also a cul-de-sac scheme, then it is considered bungalows, or chalet bungalows would be the most appropriate design – whilst this would be assessed at reserved matters stage, officers consider a condition to restrict the scale of the dwellings to single storey, with accommodation in the roof would be appropriate.
- 6.13 The layout has been revised since the original submission with the red line of the site extended further north-eastwards by approximately 11m. This has allowed the dwellings on the south-western side to be moved further away from the south-western boundary. Furthermore, some of the units have been rotated and/or their footprints altered and the space between dwellings along the north-eastern side has been increased. The detached garages originally proposed at the end of the cul-de-sac have been removed from the scheme along with the visitor parking spaces. These changes have significantly improved the spacing between the built form which would allow better landscaping as well as improving the relationship with the dwellings in Priory Walk. These changes reduce the apparent density of the site, complementing the housing in the surrounding area.
- 6.14 Whilst landscaping would be considered within the reserved matters application, indicative landscaping is shown on the plans, including the land to the front of the site with Chatfeild Rd, which would be important to mitigate for the built form and the loss of the hedgerow along the boundary with the road. It is also noted that the removal of the detached garages at the end of the cul-de-sac would improve the appearance of the site when viewed from Chatfeild

Road. The plans also include a road width restriction with further planting. This along with other landscaping and appropriate planting would help ensure the proposal would fit into the landscape.

- 6.15 It is also noted by officers that the built form of Niton continues along the opposite side of Chatfeild Road and that there is also a spur leading along Newport Road to the north-west, and whilst this application scheme would not be an infill of the built form of Niton, officers do consider that both the layout and the siting would be appropriate for this location with suitable spacing between dwellings and each other and with the existing built form, along with the indicative landscaping. Officers accept that the provision of residential development on this site would result in a change to the current character of the site. However, the introduction of built form onto what is currently an undeveloped field would not result in unacceptable harm.
- 6.16 Naturally, as a result of this incursion, there could be a concern that this development is part of a wider spread of development which would further erode the character and spatial qualities of this area, with comments received raising concerns of ribbon development towards Whitwell. However, each proposal must be determined on its own merits, and in so far as the development of the site currently proposed is concerned the scheme is considered to be acceptable in relation to its impact upon the character of the area. It should also be noted that should a further application seek housing alongside the site, it would not be immediately adjacent to the settlement boundary, resulting in different policy considerations.
- 6.17 Therefore, subject to the detailed consideration of the proposals at the reserved matters stage and the imposition of the recommended conditions, officers consider the proposals would complement the established character and appearance of the area, and whilst the proposals would result in a change to this part of the village, the impact of this change would be limited and would be outweighed by other factors forming part of the overall planning balance. It is therefore considered that the proposed dwellings would not be overly prominent, would not be out of keeping in the street scene or out of character with the surrounding properties nor would have a significant impact on the wider landscape and thus would be in accordance with Policies SP5, DM2 and DM12 of the Island Plan Core Strategy.

Impact on neighbouring properties

- 6.18 Concerns were initially raised over the spacing between units 1-5 and the properties along Priory Walk which back onto the site. A number of third party comments were raised on this matter. The revised plans have significantly revised the layout and the spacing between these dwellings with the closest dwellings, units 1 and 3 now being 10m to the common boundary. Whilst it is acknowledged that the gardens of Priory Walk are relatively shallow, numbers

16, 17 and 18 Priory Walk have an average depth of approximately 9.5m. This would give an approximate minimum distance of almost 20m between the existing and proposed properties. This distance is considered to be appropriate, when considering the relationship between dwellings in the vicinity of the site and the single storey nature of the proposed units.

- 6.19 As outlined in paragraph 6.12 it is considered that, as Priory Walk comprises bungalows officers consider that two storey dwellings could result in an adverse impact on the character of the area and these neighbours in terms of overlooking and over-bearing and that bungalows or chalet bungalows would be most appropriate. As such, a condition is recommended that any future dwellings be only single storey, with the potential for accommodation in the roof space.
- 6.20 Officers consider that, providing the units are no more than chalet bungalows in scale, the proposed layout, positioning and scale of the dwellings would not result in further overlooking or a loss of privacy to any neighbouring residential properties and the development is considered to be acceptable in terms of impact on neighbours in accordance with Policy DM2 of the Core Strategy.

Ecology

- 6.21 Several comments have been received with regards to concerns that the development would have an adverse impact on wildlife. Ecology reports were submitted with the application, which confirm that there are no badger setts, bats or water voles on site. However, as badgers and water voles are known to forage/use the site the report suggests a suite of recommendations, including provision of a 3m wide green corridor on the perimeter of the development, vegetative planting to complement badger forage and sensitive boundary treatments. The Ecology Officer therefore recommends that all these measures should form part of the final development and thus should be secured by condition.

Highway Consideration

- 6.22 The proposed access road would form a junction onto Chatfeild Road. Chatfeild Road is a 'C' classified public highway governed by a 30mph speed limit at the point in question. The Highway Engineer has stated that typically in a 30mph residential environment design standards as set out in Manual for Streets / Manual for Streets 2 are applied, however on review of the proposed layout and close to a transition from 30mph to a derestricted speed limit, visibility splays for a fast road are more appropriate the required level of junction visibility can be achieved, subject to the removal/lowering of the existing roadside boundary hedge.

- 6.23 It is noted that currently the site accommodated an existing field access (adjacent to the boundary of No. 17 Chatfeild Road) that is limited in respect to visibility. When exiting the site and viewing to the north east, users currently only have 8.0m vision. The Highway Engineer states that the closure of this access would offer significant highway safety gain.
- 6.24 The application include for the provision of a footway link between the site and Chatfeild Road. This is fully supported and deemed to be essential in order to provide connectivity to the wider network and to minimise the reliance on the private motor vehicle. In addition there is also a need for a pair of uncontrolled tactile crossing points (and associated drainage) to be installed at the junction of Chatfeild Road with Priory Walk and the remodelling of the footway outside of No. 15 Chatfeild Road to provide bus kerbing to maximise inclusive mobility use. Consideration has been given to the provision of a bus shelter at this location however, the Highway Engineer states that on evaluation this would negatively impact on the visibility of users of Priory Walk.
- 6.25 The proposed site layout (cul-de-sac) includes for a 5.0m wide carriageway with localised narrowing at a point 36.0m into the site and associated service vehicle turning head at its northern end. Provision is also made for a 2.0m wide footway. The proposed road is therefore considered to be fully compliant with highway standards.
- 6.26 Space is detailed to be provided within curtilage of each dwelling for a minimum of 2 parking bays, which is considered to be appropriate of the nature of the location. The scheme also included for 3 visitors spaces however, concerns were raised by the Highway Engineer over the need for the proposed visitor parking as they could pose more of a highway safety issue than it addresses. Revised plans have removed these spaces and the Highway Engineer confirms that all other elements of the proposed layout complies with design standards.
- 6.27 The Highway Engineer states that the traffic generation associated with this proposal would not have a negative impact on the capacity of the highway/project network. Although on review of accident data, there has been one recorded accident in the last 3 years within the vicinity of this site that is relevant to the proposal, as this application includes for a fully compliant junction design and footway link, the Highway Engineer does not anticipate that this proposal would have a negative impact in respect to highway safety.
- 6.28 The development would likely lead to an increase in the use of the very popular and nearby bridleway which provides an off road link to the village of Whitwell for walkers, cyclists and horse riders (NT18, commonly known as Ashnowle Lane). The upgrade of this way is referred to in the Rights of Way Improvement Plan 2006 – 2016 and the assessment for the new Plan 2017 – 2027. The way is a high priority for Niton and Whitwell Parish Council who

managed to upgrade a section of it last year (with grant funding). As such, it is considered appropriate to require a financial contribution in order to carry out further works to the surface to assist in fulfilling the aspiration of it being an easy access multi user route. The applicant has agreed to pay this contribution and enter into a deed to secure it.

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

Drainage and surface water run-off

- 6.30 Concerns have been expressed over surface water drainage issues within the local area with regards the springs and that the land is clay. Although the site is greenfield in nature, it is not located within a Flood Zone. Furthermore, given the outline nature of the scheme, details of the drainage proposals have not been presented. However, it is noted that the submission indicates the use of soakaways and a sustainable drainage system (with foul water connecting to the main sewer). Policy DM14 identifies support for SUDS techniques to meet local and national standards, and recognises the additional benefits they can bring for ecology and green infrastructure. It also states that: "*On greenfield sites, SUDS will be required to achieve no increase in the relevant net run-off rate to that prior to development*". It is also expected for developments to achieve a 30% reduction in flow rates to allow for climate change.
- 6.31 The Council's Drainage Engineer notes that the geology of the site would unlikely be able to support soakaways and that permeability site tests would be required, or that the developer may wish to consider piping the water and discharging to the upper reaches of the River Yar in a controlled manner. The advice provided by the Engineer would accord with the guidance within the PPG and also such details for drainage would be required by relevant condition.
- 6.32 Given the scale of the scheme, officers consider that the detailed design of the drainage approach for the site can be controlled through the imposition of a planning condition and advice provided by Southern Water and the Council's Engineer as informatives. On this basis, it is considered that these issues have been appropriately considered and with such details being required prior to development through such a condition, the scheme would be compliant with the principles of policy DM14 and the DEFRA guidance, in that it would not worsen the existing situation. As such a condition requiring details of surface water drainage is suggested.

Affordable Housing

- 6.33 The Council adopted the revised Affordable Housing Contributions Supplementary Planning Document in March 2017, although it is noted that when the application was submitted there was a transition period and contributions were only to be sought from relevant applications received on and after 1 July 2017. This application was submitted prior to this transition period and it is therefore not considered appropriate to require an affordable housing contribution in this instance.

7. Conclusion

- 7.1 Having given due weight and consideration to all comments received in relation to this application and for the reasons set out above, the proposal is considered to comply with the requirements of the policies listed within this justification. Therefore it is recommended that the development is approved subject to conditions and the legal agreement relating to the rights of way contribution and thus would be in accordance with Policies As such the proposal would comply with Policies SP1, SP2, SP4, SP5, SP7, DM2, DM11, DM12 and DM17 of the Island Plan Core Strategy.

8. Recommendation

- 8.1 Conditional permission subject to a 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 application was considered to be acceptable following the submission of revised plans amending the layout and further information on trees.

Conditions/Reasons

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

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

- 2 Approval of the details of the appearance, scale and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: In order to secure a satisfactory development and be in accordance with Policies SP5 (Environment), DM2 (Design Quality for New Development), SP7 (Travel), DM11 (Historic and Built Environment), (DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

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

- 1367/18C
- 1367/17D

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with the aims of Policies SP1 (Spatial Strategy), SP2 (Housing), SP5 (Environment), SP7 (Travel), DM1 (Sustainable Build Criteria for New Development), DM2 (Design Quality for New Development), DM3 (Balanced Mix of Housing), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 4 The development hereby approved shall provide for a maximum of 9 units, comprising the mix of sizes as shown on the indicative layout 1367/20 'Indicative lower limit of scale and mass'. No unit shall exceed single storey, with accommodation in the roof space in scale.

Reason: For the avoidance of doubt and to ensure that the density, unit types and sizes and scale of the development, is compatible with the character and appearance of the area and with regards to the neighbouring properties and to comply with policy DM2 (Design Quality for New Development) of the Island

Plan Core Strategy.

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

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

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

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

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

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

- 7 No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority in respect of steps to prevent material being deposited on the highway as a result of any operations

on the site in connection with the approved development. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development. The agreed facilities shall be installed prior to the commencement of development and shall be retained in accordance with the approved details during the construction phase of the development. Any deposit of material from the site on the highway shall be removed as soon as practicable by the site operator.

Reason: In the interests of highway safety and to prevent mud and dust from getting on the highway and to comply with policy DM2 Design Quality for New Development of the Island Plan Core Strategy.

- 8 No development shall take place until highway improvements including for the provision of a pair of uncontrolled tactile crossing points and associated drainage at the junction of Priory Road and Chatfeild Road; and the remodelling of the existing footway outside of No. 15 Chatfeild Road to include for bus stop kerbing have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

- 9 No development shall take place until a 2.0m footway link between the site and the existing footway outside of No. 17 Chatfeild Road has been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

- 10 The measures as detailed in the Badger survey (Eagle Eye, June 2017) shall be implemented in full, unless otherwise approved in writing by the LPA. Thereafter, the mitigation measures shall be permanently maintained and retained in accordance with the approved details. Post construction, a report shall be submitted to the LPA for written approval, confirming that the works have been carried out as per the approved plans and that the proposed measures have been undertaken.

Reason: To ensure mitigation and compensation is adequately provided for badgers and to comply with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 11 The measures as detailed in the Water Vole survey (Eagle Eye, June 2017) shall be implemented in full, unless otherwise approved in writing by the LPA. Thereafter, the mitigation measures shall be permanently maintained and retained in accordance with the approved details. Post construction, a report

shall be submitted to the LPA for written approval, confirming that the works have been carried out as per the approved plans and that the proposed measures have been undertaken.

Reason: To ensure mitigation and compensation is adequately provided for water voles and to comply with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 12 No vegetation clearance shall take place during the bird breeding season (March–August), 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 the planning authority for approval in writing. The works shall only be undertaken in accordance with the agreed details and any mitigation shall be implemented in full during the works and prior to the first use of the development.

Reason: To ensure that there is no disturbance to breeding birds protected under the Wildlife & Countryside Act 1981 and to comply with Policies SP5 (Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

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

Reason: In the interests of the amenities of the area and to comply with Policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 14 No dwelling hereby permitted shall be occupied until space has been laid out within the site and drained and surfaced in accordance with details that have been submitted to and approved by the Local Planning Authority in writing for a minimum of 2 cars per dwelling to be parked for services vehicles to turn so that they may enter and leave the site in forward gear based on the principals of drawing no.1367/17D dated 26.10.17. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

15 The development shall not be occupied until sight lines have been provided in accordance with the visibility splays shown on the approved plan 1367/17D dated 26.10.17 giving rise to splays of X = 2.40m by Y = 70.0m. Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within those visibility splays.

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

16 No dwelling shall be occupied until the parts of the service roads which provide access to it have been constructed surfaced and drained in accordance with details which have been submitted to and approved by the Local Planning Authority based on the principals of drawing no. 1367/17D giving rise of an average carriageway width of 5.0m.

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

17 The dwellings hereby approved, shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with new soft landscaping proposed to include a schedule of plants, noting species, plant sizes and proposed numbers/densities and an implementation and maintenance programme. Planting shall be carried out in accordance with the agreed details.

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

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

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

19 The dwellings hereby approved, shall not be occupied 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 treatments shall be completed before the dwellings hereby permitted are occupied brought into use. Development shall be carried out and maintained 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.

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

Part 1

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

Class B – enlargement consisting of an addition to the roof

Class C – alteration to the roof

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

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

Class F - hard surface for any purpose incidental to the enjoyment of the dwelling house

Part 2

Class A - gate, fence or wall or other mean of enclosure

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

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

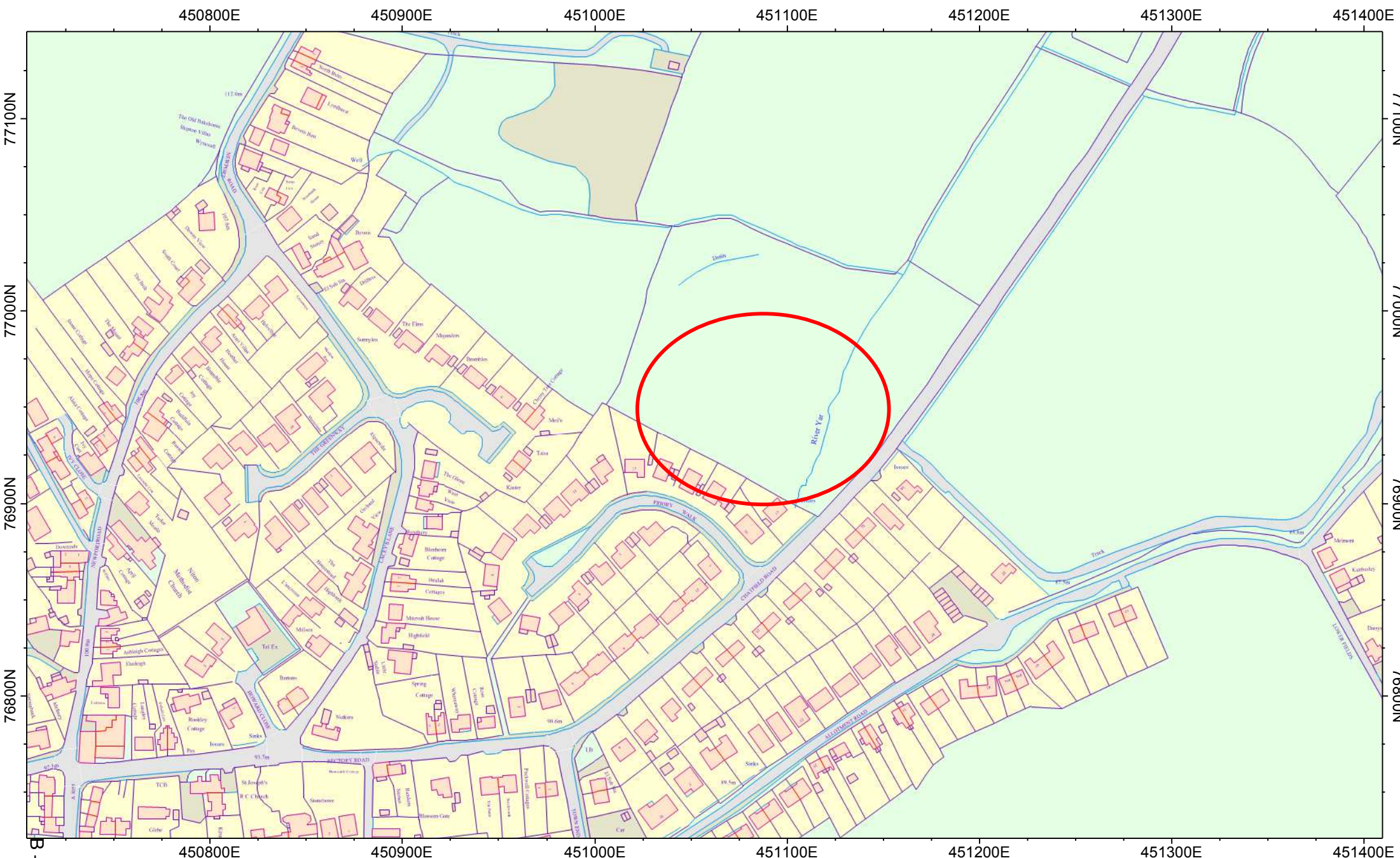
- 21 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this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

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

Informatives

- 1 The applicant is required to enter into a Section 278 Agreement with the Isle of Wight Council Highways Authority in order to bring forward the required offsite highway improvements.
- 2 Should the applicant gain consent, then in order for the proposed works to become part of the adopted highway network, the applicant is required to enter into a Section 38 Agreement with the Isle of Wight Council Highways Authority.
- 3 The applicant is required to make a formal application to Island Roads, St Christopher House, 42 Daish Way, Newport, Isle of Wight, PO30 5XJ, in accordance with the Town Improvement Clause Act 1987 Sections 64 & 65 and the Public Health Act 1925 Section 17 before addressing and erecting a property name / number or street name in connection with any planning approval.
- 4 The applicant is advised that a formal application to Southern Water will be required for connection to the public sewerage system. For further information and advice contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
- 5 The applicant is advised that should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
- 6 The applicant is advised that with regards to diverting the public sewer, the applicant would need to:
 1. The 150mm diameter foul and surface water sewer requires a clearance of 3 metres either side of the sewer to protect it from construction works and allow for future access for maintenance.
 2. No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer
 3. No new soakaways should be located within 5 metres of a public sewer.
 4. All other existing infrastructure should be protected during the course of construction works.

- 7 Any alteration to the water course (such as building a new bridge) will need the approval of the local authority and application will need to be made to allow approval of the works by way of an Ordinary Watercourse Consent (OWC).



Scale 1:2500



P/00395/17 - land rear of 15 to 18 Priory Walk and adjacent to 17, Chatfeild Road, Niton, Ventnor, Isle Of Wight, PO38

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