

**LIST OF PLANNING APPLICATIONS
REPORT TO COMMITTEE - 03/07/2018**

1	P/01538/17 TCP/31016/A	Shanklin	Conditional Permission
Page B-2	Land adjacent, 36 Blythe Way, Shanklin, Isle Of Wight, PO37		
	Proposed detached dwelling with access and parking		
2	P/01393/17 TCP/00940/Y	Shanklin	Conditional Permission
Page B-18	Highmead and The Laurels (formally Elmdon House), 3, Highfield Road, Shanklin, Isle of Wight, PO37		
	Demolition of building; proposed construction of 10 houses (revised location description)(re-advertised application)(revised plans)		
3	P/00521/18 TCP/33471	Sandown	Conditional Permission
Page B-35	Sandham Gardens, Culver Parade, Sandown, Isle Of Wight, PO368AT		
	Installation of sky trail highropes adventure course		

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ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 3 JULY 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.

Reference Number: P/01538/17

Description of application: Proposed detached dwelling with access and parking

Site Address: land adjacent, 36 Blythe Way, Shanklin, PO37

Applicant: Mr & Mrs Hilson

This application is recommended for conditional permission

REASON FOR COMMITTEE CONSIDERATION

The Head of Place has been unable to secure consultation with the Local Member, or the Chairman or Vice Chairman in relation to this application. In the absence of Member involvement and having had regard to the circumstances of the application the Head of Place has referred the application to committee for a resolution.

MAIN CONSIDERATIONS

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

1. Location and Site Characteristics

- 1.1. The application site lies on the eastern side of Blythe Way within a small cul-de-sac of residential properties. The site currently forms part of the domestic curtilage of number 36 and is located to the east of that property.
- 1.2. The area surrounding the application site is predominantly residential in nature and comprises a mix of two storey detached and semi-detached dwellings. The design and appearance of the dwellings within the locality is similar with them being constructed of buff brick with some incorporating sections of tile hanging.
- 1.3. At present, the site itself is laid to lawn with 1.8 metre high close boarded fencing delineating all boundaries. The topography of the land slopes up from Blythe Way with the site being at an elevated level in relation to the highway.

1.4 The application site itself falls within the designated Sibden Hill and Batts Copse Local Nature Reserve which extends to the east and south of the site and is largely open grassland.

2. Details of Application

2.1 The application seeks consent for the construction of a detached dwelling with the formation of an associated vehicular access and parking area.

2.2 The submitted plans detail the proposed dwelling would be two storey in height with a maximum ridge height of 7.4 metres when viewed from the front. As a result of the sloping nature of the site, the rear of the property would be single storey to a maximum height of 4.75 metres. The footprint of the proposed dwelling is shown to be irregular in shape with maximum dimensions of 16 metres by 13.3 metres.

2.3 Internally the dwelling would provide two bedrooms, bathroom, office and hall at ground floor level with an open plan kitchen/diner/lounge, utility, an en-suite bedroom and further bedroom/office at first floor level.

2.4 The proposed development is shown to include for the formation of a vehicular access within the south eastern corner of the cul-de-sac to access two new parking spaces for the proposed dwelling.

3. Relevant History

3.1. P/00656/12 – Lawful Development Certificate for continued use of land as domestic garden for no. 36 Blythe Way – Approved 06 August 2012.

4. Development Plan Policy

National Planning Policy

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

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

- Specific policies in this Framework indicate development should be restricted.

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

Local Planning Policy

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

- SP1 Spatial Strategy
- SP2 Housing
- SP5 Environment
- SP7 Travel
- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM17 Sustainable Travel
- DM22 Developer Contributions

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

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

5. **Consultee and Third Party Comments**

Internal Consultees

5.1 The Island Roads Highway Engineer has recommended conditions should the application be approved.

- 5.2 The Council's Ecology Officer has confirmed that the site falls wholly within the identified Sibden Hill Local Nature Reserve and as such the proposal should consider the surrounding landscaping including land uses. As this basis, a condition is recommended requiring a Landscape and Ecology Management Plan.

Parish/Town Council Comments

- 5.3 Shanklin Town Council requests that officers investigate the site to ensure that the land does not encroach onto the adjacent nature reserve. In addition, request liaison with Island Roads regarding concerns over parking and the need to use the pavement to access the second parking space.

Third Party Representations

- 5.4
- A total of 50 third party representations have been received objecting to the proposal although it is noted that some of these are from the same people. The concerns raised are:
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 - Location of site within Local Nature Reserve
 - Removal of natural landscape features
 - Garden grabbing
 - Land was acquired through adverse possession
 - Development would be visually intrusive
 - Site should be designated as open space
 - Precedent
 - Disturbance through noise and traffic from construction
 - Proposed dwelling is too large and would be out of keeping
 - Parking
 - Highway safety/increase in traffic
 - Loss of open space
 - Loss of sea views
 - Potential raised decking for proposed dwelling in future
 - Devaluation of neighbouring/surrounding properties
 - Local Nature Reserve should not be built on
 - Visual impact of proposed dwelling – would be obtrusive
 - Greenfield site
 - Development will discourage use of Local Nature Reserve
 - Overlooking to Local Nature Reserve
 - Conflict between proposed development and management of Local Nature Reserve
 - Overlooking to no. 16 Silver Trees
 - Impacts on ecology and biodiversity
 - Proposed dwelling would dominate landscape
 - No need for proposed dwelling as owners live abroad part of the year

- Approved Lawful Development Certificate allowed garden use not development
- Development would detract from beauty of area/views
- Enclosure of area

5.5 One further letter has been received supporting the proposal on the grounds of the site not being owned by the Isle of Wight Council as others have stated and the land has not been accessible to the public for a considerable period of time.

6. **Evaluation**

Principle of development

6.1 The Island Plan Core Strategy identifies the application site as being within the defined settlement boundary of The Bay Key Regeneration Area. Policy SP1 of that plan states that the Council will, in principle, support development proposals on appropriate land within or immediately adjacent to the defined settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres and will prioritise the redevelopment of previously development land where such land is available, suitable and viable for the development proposed. This policy continues to set out that proposals for development on non-previously developed land will need to demonstrate how it will enhance the character and context of the local area.

6.2 In terms of housing provision, policy SP2 of the Core Strategy sets out that the Council is planning for 8,320 new dwellings across the Island within the plan period 2011-2027. Within the broad distribution of those dwellings, it is expected that 370 will be within The Bay Key Regeneration Area.

6.3 In light of the above policy objectives, the broad principle of providing an additional dwelling within the application site would be acceptable in accordance with policies SP1 (Spatial Strategy), SP2 (Housing) and DM3 (Balanced Mix of Housing) of the Island Plan Core Strategy. This would be subject to the detail and design of the proposal as discussed below.

Impact on the designated Local Nature Reserve

6.4 As noted above, a considerable number of third party representations have been received objecting to this proposal. The main concern that has been raised through these comments is how the application site was acquired by the applicants and the location of the site within the designated Local Nature Reserve. In this regard, it is considered that the planning history of the site is particularly relevant in this instance.

6.5 In 2012, a Lawful Development Certificate was submitted which sought to demonstrate that the land to the east of no. 36 had been used as a domestic

garden area in association with that property for a period exceeding 10 years and had therefore become lawful for planning purposes. During the determination of that application, it was considered that sufficient evidence had been provided by the applicant to demonstrate that, on the balance of probability, the use of the land as a garden area had been carried out for over 10 years. As such, a Lawful Development Certificate was issued and the lawful use of the land became domestic garden. Whilst it is acknowledged that several objections have been raised as to how the applicants acquired the land and subsequently used it as garden area, this is not a material consideration in the determination of this current application. By virtue of the Lawful Development Certificate being granted in 2012, the lawful use of this site for planning purposes is as a residential garden.

- 6.6 In the assessment and determination of this current application, due regard must be had for the location of the site within the designated Sibden Hill and Batts Copse Local Nature Reserve. Whilst the lawful use of this site in planning terms is as a residential garden, the land does still fall within the boundary of this designated area. As such the impacts of the proposal in relation to the Local Nature Reserve, ecology and biodiversity need to be given appropriate consideration.
- 6.7 Many third party representations have made reference to the requirements of policies SP5 (Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy. These policies seek to protect the integrity of and conserve and enhance the natural and historic environment of the Island. These policies also set out that the Island's natural and historic environment should be protected, conserved and enhanced whilst allowing appropriate development to take place. In addition, due regard must be had for the requirements of policy DM2 (Design Quality for New Development) which states that the Council will support proposals for high quality and inclusive design to protect, conserve and enhance our existing environment whilst allowing change to take place.
- 6.8 It must be acknowledged that the site does lie within the boundary of the designated Local Nature Reserve. However, weight must also be given to the existing and lawful use of the site as a domestic garden. As detailed above, the land to the east of no. 36 is currently laid to lawn with 1.8 metre high close boarded fencing along all boundaries. The site has been used as a garden since approximately 2002 (10 years before the Lawful Development Certificate was issued) and has therefore not formed an active part of the Local Nature Reserve for some 16 years. Whilst this does not change the designation of the land, it does mean that the site currently has little ecological or biodiversity value for this area and has not done for a considerable period of time. In addition, the site has not been accessible to the public since it was fenced off and therefore provides no public amenity value.

6.9 Officers accept that it is unfortunate that this area of land has been segregated from the Local Nature Reserve and is no longer publicly accessible and this is not a course of action that would be advocated or encouraged. Notwithstanding this, the means by which the current use and state of the site came about are not material considerations in the determination of this current application. Significant weight must be afforded to the existing residential use of the site and amenity value it currently provides to the character of the area. Whilst the current proposal would result in the site being developed, it would not alter the residential use of the land and would therefore not result in any further separation from the designated area than that of the existing situation. In addition, it is considered that by developing the site in the manner intended, it provides an opportunity for the visual amenity and ecological value of the site to be improved through the imposition of appropriate conditions regarding soft landscaping and planting. The imposition of such conditions would allow the enhancement of the site and the amenity it provides to both the character of the wider area and the Local Nature Reserve itself. The applicants have confirmed their agreement to the planting of additional hedgerows and other soft landscaping both within the site and along the boundaries in order to soften the appearance from that of the existing fencing. It is considered that this could be adequately secured and controlled through conditions and would provide mitigation and enhancements to the ecological values of the site. Conditions have therefore been recommended in this regard.

6.10 Concerns have been raised that the proposed dwelling would result in the overlooking to the Local Nature Reserve and would cause conflict with the management of this designated area. In this regard, it must be noted that this is a residential part of Shanklin and the entire western boundary of this part of the nature reserve abuts residential properties and associated garden areas. Furthermore, it is noted that the southern boundary of the nature reserve also runs along the boundaries with residential properties. Taking this into account, whilst the proposed development would result in the addition of one further dwelling overlooking the nature reserve, it is considered that this would not result in any additional impacts in terms of the use and enjoyment of that public area. In a similar way, it is considered that the proposed dwelling would not impact on the effective management of the nature reserve and would have no greater impact on this than any of the other residential properties surrounding it.

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

6.11 The proposed dwelling is shown to be positioned to the east of no. 36 and to the south of no. 34. The overall site is situated within the corner of this small cul-de-sac and the proposed dwelling seeks to infill the south western corner between the existing properties. In terms of footprint, the proposed dwelling would be comparable to that of the neighbouring and surrounding properties although it is noted that it would be an irregular shape to take account of the corner plot. The dwelling would be set back within the plot, slightly further than no. 36, and would

benefit from space between the dwelling and the front and side boundaries of the site. It is considered that this would ensure that the site would not appear cramped or overdeveloped and would continue the established pattern of the dwellings in this locality.

- 6.12 In terms of scale and height, the proposed dwelling is shown to be of a two storey height when viewed from the front but only single storey at the rear to take account of the sloping land levels of the site. Having regard to this, when viewing the development within the street scene, it would appear in keeping with the surrounding properties and would be of an appropriate scale and height. Given the topography of the area, the surrounding properties do vary in height and gradually step up when viewed from both the west and north. On this basis, whilst the proposed dwelling would be higher than both numbers 34 and 36, this would follow the established stepped roofscape of the properties and would therefore not appear over dominant or incongruous.
- 6.13 The front elevation of the proposed dwelling is shown to be fairly wide, particularly when taking into account the irregular footprint and projecting element on the western side. It is acknowledged that this would be different to that of the existing properties within the cul-de-sac however it is considered that given the detached nature and position of the proposed dwelling, this would not cause the dwelling to appear at odds or visually prominent.
- 6.14 Turning to the design and appearance of the dwelling, the submitted plans show it would be of a simple and fairly low key appearance that would reflect the character of the surrounding properties. It is proposed that the dwelling would be constructed of buff brick under a brown concrete tile pitched roof. These materials would match that of the neighbouring property, number 36, together with the other surrounding properties within the cul-de-sac and Blythe Way itself. It is therefore considered that the proposed design approach and use of materials would be appropriate in this instance and would allow the dwelling to sit comfortably within the plot and complement the character of the surrounding area.
- 6.15 It is noted that third parties have raised concerns that the proposed development would result in the loss of natural landscape features, loss of open space and the enclosure of the area and these impacts would have a negative effect on the surrounding area. In assessing the impacts of this proposal, significant weight must be afforded to the existing situation and the visual amenity the application site currently provides to the surrounding area. As discussed above, the site is used as a domestic garden in association with no. 36 and is laid to lawn with associated garden paraphernalia. All boundaries of the site are formed by 1.8 metre high close boarded fencing. Taking this into account, the application site is completely enclosed with the only views from the outside of the site being of the boundary fencing. It is considered that this current situation offers little to the surrounding area in terms of aesthetics or

visual amenity. The proposed development would result in the construction of a detached property which would include the removal of the front boundary fencing and would therefore in fact provide an additional degree of openness to the site frontage. In addition, conditions have been recommended to require appropriate landscaping and planting which would serve to soften and improve the overall appearance of the site when viewed from the wider area than that of the existing fencing. In relation to the concerns regarding the loss of natural landscape features, given that the site does not include any such features and is simply an area of grass surrounded by fencing, it is considered that the proposal would not result in any loss of natural features.

6.16 In summary of the above, Officers consider that the proposed development would not result in any unacceptable impacts on the character and appearance of the site or surrounding area. The proposed dwelling would be of an appropriate size, scale, mass and design so as to integrate with and complement the existing dwellings within the area and would not appear over dominant or intrusive. The use of a similar design and matching materials would further ensure that the proposal would not appear visually prominent within the street scene or when viewed from the wider area. At present, the application site offers little to the surrounding area in terms of visual amenity due to the enclosed nature and hard fenced boundaries. The development of the site would allow opportunity for the boundaries of the site to be opened up and softened and it is considered that this can be adequately controlled through appropriate conditions. Whilst it is acknowledged that the proposed dwelling would be visible within the immediate street scene and from the adjoining Local Nature Reserve, it is considered that this would be viewed in context with the residential nature of this area and would therefore not appear incongruous. The designated reserve is bounded by a significant number of residential dwellings which face towards and overlook the reserve and as such the proposed development would not exacerbate this to any unacceptable degree.

6.17 For these reasons, it is considered that the proposal complies with the requirements of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

Impact on neighbouring properties

6.18 Given the location of the application site, the proposed dwelling would be located between numbers 34 and 36 Blythe Way. As such, the impacts of the proposal on the amenities of the occupants of these properties must be considered.

6.19 Number 36 currently benefits from a shed/garage building to the east of the dwelling as well as a single storey extension/conservatory on the east elevation. The application details that these elements would be demolished/removed to

increase the separation distance between this property and the proposed dwelling. The submitted information details that following the removal of these elements, there would be a separation distance of 4.5 metres between the east flank elevation of no. 36 and the west elevation of the proposed dwelling. In addition, the proposed dwelling would not include any windows or openings within the elevation facing towards no. 36. Having regard to the pattern of development within this area, it is considered that the proposed separation distance between the side elevations of no. 36 and the proposed dwelling would be acceptable and would be greater than existing relationships between side elevations of the properties within this section of Blythe Way. As such, it would not result in any unacceptable levels of overshadowing or overdominance. The lack of windows within the west elevation of the proposed dwelling would ensure that it would not result in any overlooking or loss of privacy to this neighbouring dwelling. The rear elevation of the proposed dwelling is shown to include a window and set of doors that would serve bedroom 3. Given the orientation of the proposed dwelling, these openings would only allow very oblique views into the rearmost part of the amenity area for no. 36. On this basis, it is considered that this would not result in any unacceptable loss of privacy.

6.20 In terms of the impacts to no. 34, the front elevation of the proposed dwelling would be 11 metres away from the south side elevation of this neighbouring property. It is considered that this would be a sufficient distance to ensure that the development would not appear overbearing to the occupants of no. 34 particularly when taking into account that there is an existing distance of 13 metres between the front elevations of nos. 34 and 36. In addition, the orientation of the proposed dwelling within the site and the set back position would be comparable with that of the existing arrangement within no. 36 and it is therefore considered that this would be acceptable. The front elevation of the proposed dwelling is shown to include windows at both ground and first floor levels. Views from these windows would be directed towards the side elevation and front amenity area of no. 34 and as such would not overlook any private amenity areas. The south side elevation of this neighbouring property is devoid of any windows which would further ensure that the development would not result in any loss of privacy or overlooking in this regard.

6.21 As set out above, concern has been raised from the occupant of no. 16 Silver Trees with regard to overlooking from the proposed dwelling. This property is positioned approximately 26 metres from the proposed dwelling at the closest point. It is considered that this separation distance would be adequate to ensure that the development would not cause any harmful impacts. Furthermore, the windows in the rear elevation of the proposed dwelling would face directly south and would therefore only have potential for extremely oblique glimpses to the amenity area of no. 16 Silver Trees due to the position and orientation. This relationship would be similar to that of no. 16 with the adjoining property to the west and as such would not be unacceptable.

- 6.22 In conclusion, it is considered that the proposed development of the application site in the manner intended would not result in any adverse impacts to the amenities of the occupants of the neighbouring properties. The application therefore complies with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Highway considerations

- 6.23 Blythe Way is an unclassified public highway governed by a 30mph speed limit at the point in question. However, the section of public highway serving the application site takes the form of a cul-de-sac off the main carriageway that is Blythe Way and therefore vehicle speeds are more reflective of a 10mph environment. On this basis and in accordance with design standards, any new or existing vehicular access forming a junction with this part of the highway network should provide for minimum visibility splays of 11 metres in either direction when taken from a 2 metre set back together with an associated drainage system to minimise the risk of surface water runoff onto the public highway. In addition, where the vehicle access crosses a public footway, the acceptable gradient would be 1 in 20.
- 6.24 The Highways Engineer has confirmed that the site sits in the corner of the cul-de-sac with the proposed vehicular access resulting in the need to relocate an existing street lighting column and sterilisation of the existing carriageway across the roadside frontage of the site and the adjacent property (no. 34) through to its existing vehicular access to turn safely into and out of the proposed access/parking area. This would result in the loss of two existing on-street parking bays however at the site of site visits in connection with this application, there were in excess of 10 on-street parking bays available within close proximity (60-100 metres) of the site on the main highway that is Blythe Way. Taking this into account, it is considered that the loss of these bays would not result in any detrimental impact in this regard.
- 6.25 It is noted within the submitted Planning, Design and Access Statement, reference is made to the application site accommodating an existing garage. However, following a site visit, Island Roads have advised that there is no evidence of a dropped crossing to serve this structure and due to its location, orientation and the level difference between its threshold and the adjoining land, question is raised in respect to its ability to be accessed by a vehicle. It is therefore not accepted that this building may be classed as a garage to accommodate a vehicle. Notwithstanding this, other than the impact on on-street parking (loss of two bays), the proposed development would not result in the loss of any existing private parking for the existing dwelling, no. 36.
- 6.26 Subject to the imposition of conditions requiring the repositioning of the existing street lighting column and the formation of a vehicular access in accordance

with details to be agreed, it is considered that the highway elements of this proposal area acceptable in relation to layout.

- 6.27 In terms of parking provision, the application site falls within Zone 2 as defined within the Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document adopted in January 2017. In accordance with the guidance set out in Table 1 of that document, a development of this nature should provide for 2 on site vehicle parking spaces. The submitted plans detail that the development would provide for the required 2 parking bays and would therefore be acceptable in this regard. Whilst it is acknowledged that the development would result in the loss of two existing on-street parking bays, it is considered that due to the availability of parking within the vicinity of the site, this would be acceptable in this instance.
- 6.28 Having regard to the above, it is considered that the proposed development would not result in any detrimental impacts in terms of highway safety and therefore complies with policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

Other issues

- 6.29 The Council's Affordable Housing Contributions Supplementary Planning Document was formally adopted in September 2015 with a revised version brought into force on 1st July 2017. Given that the proposed development would result in a net increase to residential units, the requirements of the SPD apply to this application.
- 6.30 In this instance a Unilateral Undertaking has been drafted committing the applicant to pay the required affordable housing contribution and this undertaking would be signed and agreed prior to any planning permission being issued.
- 6.31 As set out above, third party objections have been received to this application on the grounds of disturbance from construction (noise/traffic), loss of views, devaluation of neighbouring properties and there being no need for the proposed dwelling as the applicants live abroad for part of the year. Whilst these comments are noted, they do not form material planning considerations and as such hold no weight in the determination of this application.
- 6.32 Further concerns have been raised with regard to precedent and the potential for decking to be constructed to the proposed dwelling in future. Any such developments would require the benefit of planning permission and therefore any subsequent applications in this regard would be assessed and determined on their own merits in accordance with legislation and policy. These factors are therefore not material considerations for this current application.

6.33 In addition to the above, third parties have objected stating that the site should be designated as open space and is a greenfield site. Whilst it is acknowledged that the site does constitute greenfield land, this does not automatically mean that it cannot be developed. The key consideration is whether the development of greenfield land would enhance the character and context of the local area as required by policy SP1. In this instance and as set out above, it is considered that given the current state of the site and fenced off nature, the proposed development would allow an improvement to the visual amenity this site offers the surrounding area. Furthermore, the site is not designated as open space and therefore whether it should be is not a material consideration for this proposal.

7. Conclusion

7.1 Having given due regard and appropriate weight to all comments received in relation to this application and for the reasons set out above, it is considered that the proposal complies with the policies listed within this report. Therefore it is recommended that the development is approved subject to appropriate conditions.

8. Recommendation

8.1 Conditional permission subject to the signing of a Unilateral Undertaking for an Affordable Housing Contribution.

9. Statement of Proactive Working

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

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

In this instance:

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

Conditions/Reasons

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

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

- 2 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered 1730/04, 1730/03A, 1730/06 and 1730/05 together with the materials detailed within the submitted application form.

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.

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

- 4 Notwithstanding the submitted details, development shall not begin until a Landscape and Ecology Management Plan setting out prescriptions for the management of all ecological features, including a timetable for the carrying out and completion of such works, has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. The existing trees and planting to be retained and new planting (including the location, number, species, size and density of plants and method planting).
2. Details shown on a plan of new habitat creation/enhancement for wildlife.
3. A long term management strategy for the site.

The landscaping of the development and ecological enhancements shall be carried out and completed in accordance with the approved details and at the agreed times. The plans shall include any trees or plantings 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: This is a pre-commencement condition to ensure that measures would be taken throughout the development to protect the condition and use of the open space on site and in accordance with the aims of policies SP5 (Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM13 (Green Infrastructure) of the Island Plan Core Strategy.

- 5 The dwelling hereby permitted shall not be occupied until such time as the single storey extension/conservatory on the east flank elevation of number 36 Blythe Way and the detached shed/garage building as shown on drawing number 1730/02A have been removed.

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

- 6 The development in relation to the construction of the dwelling hereby approved shall not begin until details of the vehicle accesses serving the site have been approved in writing by the Local Planning Authority; and the parking areas and accesses shall not be brought into operation until the accesses/footway works have been constructed in accordance with the approved details.

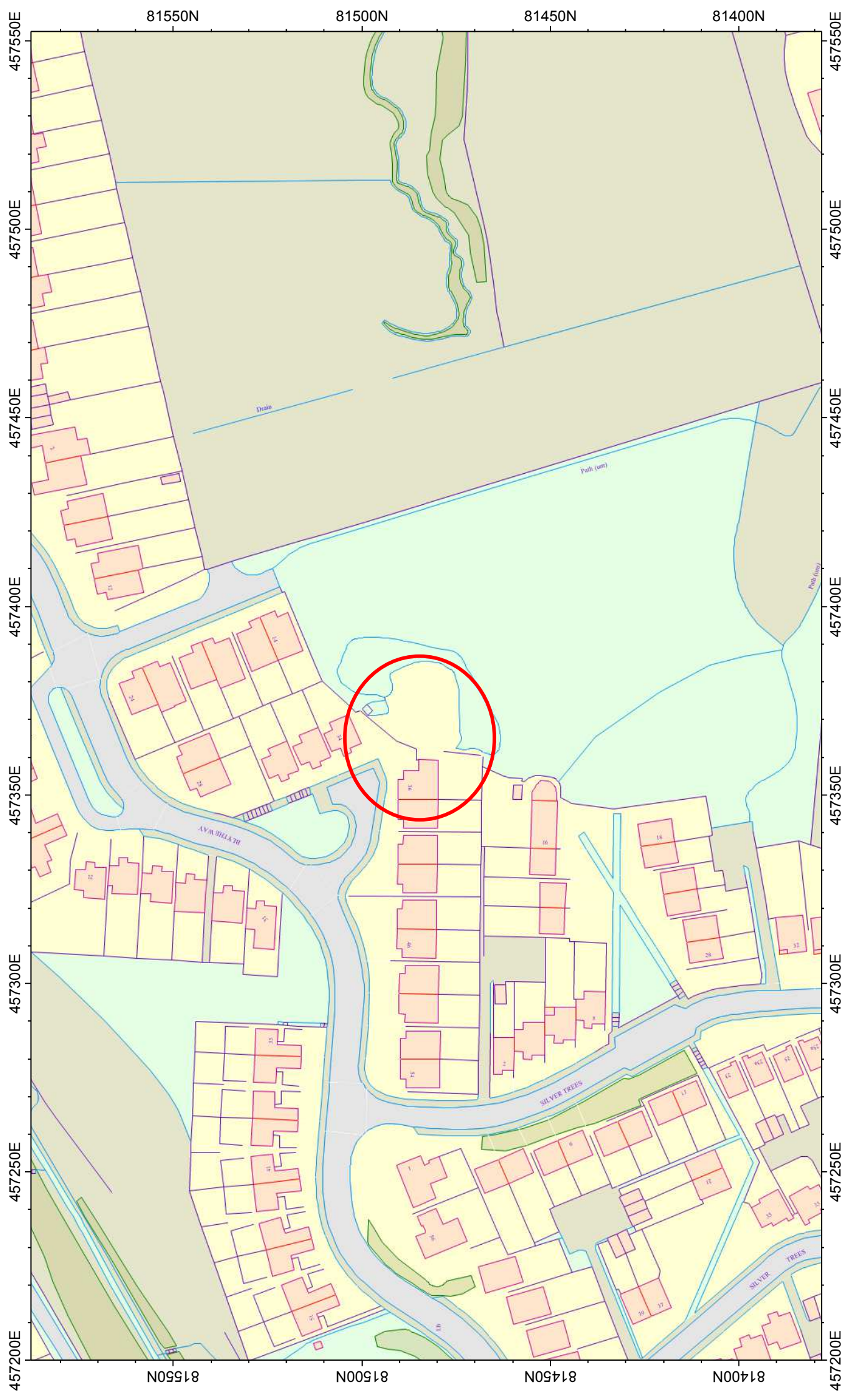
Reason: In the interests of highway safety and to comply with DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 7 The dwelling hereby approved shall not be occupied until space has been laid out within the site in accordance with drawing number 1730/03A dated 09.11.17 for 2 cars to be parked and for it to be drained and surfaced in accordance with details that have been submitted to and approved by the Local Planning Authority in writing. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

- 8 No development shall take place until the existing street lighting column located outside of No 36/34 Blythe Way has been relocated in accordance with details to be submitted to and approved in writing by the Location 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.



P/01538/17 - Land adjacent, 36 Blythe Way, Shanklin,
Isle Of Wight, PO37

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Ordnance Survey 100019229

Scale 1:1250

B - 17



Reference Number: P/01393/17

Description of application: Demolition of building; proposed construction of 10 houses (revised location description) (re-advertised application) (revised plans)

Site Address: Highmead and The Laurels (formally Elmdon House), 3, Highfield Road, Shanklin, Isle of Wight, PO37

Applicant: Mr D. Samson

This application is recommended for Conditional Permission

REASON FOR COMMITTEE CONSIDERATION

The application site is owned by the Council and would result in a capital receipt and therefore in line with the Code of Practice the item is being presented to the Planning Committee.

MAIN CONSIDERATIONS

- Principle of the development
- Impact on the character of the area
- Impact on neighbouring properties
- Highway considerations
- Impact to trees

1. Location and Site Characteristics

- 1.1. The site consists of a parcel of land located on the western side of Highfield Road approximately 77 metres south of the junction with Victoria Avenue.
- 1.2. The character of Highfield Road and the surrounding nearby streets is predominantly residential, with Highfield Road consisting of Victorian Villa style development, interspersed with 20th Century bungalow and chalet bungalow housing.
- 1.3. The existing building on site is a substantial two storey stone Victorian Villa with buff brick quoins and a slate roof which has been extended to the southern and northern elevations with single storey extensions and to the west by a two storey flat roofed extension. The building is set back from the road, with high stone walls forming its boundary onto Highfield Road. The building is currently

used to provide two residential facilities for adults with learning difficulties, known as Highmead and The Laurels.

- 1.4 The application site is located within Area 4 – Big Meade and Highfield Road of the Shanklin Conservation Area. To the west of the site lies woodland, with residential properties to the north and south.
- 1.5. The site is relatively flat from north to south on the eastern side of the site, however there is a fall in levels, relative to over a storey height difference from east to west across the site.

2. Details of Application

- 2.1 The application seeks consent to demolish the existing building on site and construct ten houses.
- 2.2 The proposed plans under consideration in this report are revised plans which were submitted following negotiations on the scheme due to concerns raised regarding the original submission. The revised plans have been subject to a re-advertisement period and further consultation with all of the relevant consultees.
- 2.3 The houses would be laid out on site as four pairs of semi-detached houses (units 2,3,4,5,6 & 7) and two detached houses (units 1 & 8), with six of the houses being 3 bed dwellings (units 1,2,3,4,5 & 8) and the remaining 4 houses being two bed dwellings (units 6, 7,9 & 10). The layout would see four units fronting Highfield Road with the remaining units running at 90 degrees, forming a 'U' shape around a communal area of open space.
- 2.4 The units would be constructed of natural stone and yellow buff facing brick, yellow buff brick quoins and soldier courses, cast stone sills to all windows under a slate roof. The east elevations of the dwellings fronting Highfield Road (units 1, 8, 9 & 10) would be constructed with natural stone reclaimed from the existing building on site.
- 2.5 All of the houses would benefit from their own private garden, in addition to which a communal garden area is proposed in the middle of the development.
- 2.6 A communal parking area consisting of 16 parking spaces is proposed alongside the eastern boundary of the site, all of which would be accessed off the existing vehicular access point into the site off Highfield Road.

3. Relevant History

- 3.1. None

4. **Development Plan Policy**

National Planning Policy

4.1. The NPPF sets out three roles (economic, social and environmental) that should be performed by the planning system. The Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages
- moving from a net loss of bio-diversity to achieving net gains for nature
- replacing poor design with better design
- improving the conditions in which people live, work, travel and take leisure and;
- widening the choice of high quality homes

4.2 At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay, or 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 or demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted.

Local Planning Policy

4.3 The Island Plan Core Strategy defines the application site as being within the Settlement Boundary of the Bay Key Regeneration Area. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP2 Housing
- SP5 Environment
- SP7 Travel
- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM4 Locally Affordable Housing
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM17 Sustainable Travel
- DM22 Developer Contributions

4.4 Affordable Housing Contributions Supplementary Planning Document (SPD) (2017)

4.5 Guidelines for Recycling and Refuse Storage in New Developments (SPD) (2017)

4.6 Guidelines for Parking Provision as Part of New Developments (SPD) (2017)

5. Consultee and Third Party Comments

Internal Consultees

5.1 The Highway Engineer from Island Roads, on behalf of the Highway Authority have recommended approval of the application, subject to conditions relating to parking and turning layout and the provision of wheel cleaning facilities during the construction of the development. Their comments are outlined in more detail in the relevant section of this report.

5.2 The Council's Tree Officer has recommended conditions for a method statement and soft landscaping and planting, should the application be approved.

External Consultees

5.3 Historic England have confirmed they do not wish to offer any comments on the application.

Parish/Town Council Comments

5.4 Shanklin Town Council in response to the original consultation confirmed they were supportive of the application but wished Officers to address the following concerns;

- Is this development an overdevelopment of the site.
- Does the proposed colour of the buildings fit in with the buildings of the surrounding area.
- Officers to consult with Island Roads regarding potential parking & visibility access issues.
- S106 contribution to upgrade the facilities at Big Mead playground as some of the proposed homes may be occupied by families.

5.5 Shanklin Town Council raised no further comments in relation to the revised plans under the re-advertisement of the application.

Third Party Representations

5.6 Island Watch have objected to the application on the grounds that the

development would result in overdevelopment of the site, well in excess of the footprint of the existing building and resulting in overcrowding, causing harm to the Conservation Area. They also have concern that the amount of vehicles generated by the development would exceed the number of proposed parking spaces, causing problems for existing residents on local roads.

5.7 The Local Planning Authority has received 13 representations objecting to the application from 8 local residents, including one representation written on behalf of the residents of Westfield Apartments, Highfield Road. The objections raised can be summarised as follows:

- The comparative trip generation analysis over estimates the number the daily journeys currently occurring to the site
- Overdevelopment of the site
- Insufficient on-site parking provision, leading to pressure to on street parking in the area
- Development would place unacceptable burden on Highfield Road in terms of traffic congestion and noise.
- Highway safety concerns
- Detrimental impact upon the Conservation Area
- Development does not reflect the prevailing character of the area
- Loss of amenity to neighbouring property occupiers - Tanglin and Moonrakers, through over-looking, loss of privacy and noise.
- Inappropriate design and materials on properties to rear of site
- Adverse impact to trees.

6. **Evaluation**

Principle of the proposed development

6.1 The application seeks consent for full planning permission for the construction of ten houses. These would be laid out as four pairs of semi-detached units and two detached houses, with six of the houses providing three bedroom accommodation and the remaining four providing two bedroom accommodation.

6.2 The application site is located within the settlement boundary of the Bay Key Regeneration Area and represents previously developed land. The principle of redeveloping the site is therefore acceptable.

6.3 The existing building on site is currently used to provide two residential facilities for adults with learning difficulties, known as Highmead and The Laurels, both of which are registered for six places.

- 6.4 The building is in a poor and deteriorating condition and due to the unconventional layout and level changes within floors, is no longer fit for purpose as it is not conducive to the provision of accommodation for those with learning difficulties and fails to meet the current CQC standards. Due to the buildings age and the peculiarities of the layout upgrading the existing building would be unviable and therefore the residents are in the process of being found alternative places of care.
- 6.5 The principle of the redevelopment of the site for residential development is therefore considered to be acceptable.

Impact on the character of the area

- 6.6 The application site lies on the northern edge of Area 4 (Big Meade and Highfield Road) of the Shanklin Conservation Area. Victorian stone built villas and high stone boundary walls are a typical feature of this area, however there are also chalet bungalows and other 20th /21st century dwellings interspersed along Highfield Road.
- 6.7 The existing building on site forms a substantial two storey Victorian stone villa, however it is not listed, locally listed or on the Historic Environment Record. The building has been extensively extended and altered with unsympathetic additions and is within a poor state of repair and therefore officers raise no objection to the demolition of the building.
- 6.8 The proposed units would also all be two storeys in height but not of the same proportions as the existing building with lower eaves and ridge heights. The pair of semi-detached houses (units 9 & 10) sited centrally within the Highfield Road frontage have been designed to resemble the frontage of the original villa on site, with a projecting two storey height bay, stone facing with buff brick quoins on the front and rear elevations, yellow buff brick to the side elevations, under a slate roof.
- 6.9 The other two houses fronting Highfield Road (units 1 & 8) are of a different design with their first floor accommodation within the roof space, finished in stone with buff brick quoins at ground floor level and off white render at first floor level on the front elevations, stone with yellow buff brick above on the side elevations and yellow buff brick on the rear elevations and slate roofs. Stone from the existing building is proposed to be used to form the street frontage elevations to all four houses.
- 6.10 The remaining six dwellings would be of a more contemporary design with the two pairs on plots 2-5 having a slightly staggered footprint and gabled roof design to the front (north) and rear (south) elevations. Plot 7 also has a gabled roof design, front and back, with the roof on the adjoining semi on plot 6 running at a 90 degree angle to this with a cropped hip to its western elevation. All six of

these dwellings would be finished in natural stone at ground floor with yellow buff brick at first floor on the front elevations, with all other elevations being finished in yellow buff brick, cast stone sills to all windows and slate roofs.

- 6.11 The existing stone wall along the Highfield Road frontage is proposed to be retained in its entirety and would therefore screen the proposed parking along this boundary of the site from views from Highfield Road.
- 6.12 The application site sits at the highest point of Highfield Road, with the land to either side descending in height towards Victoria Avenue to the north and Westhill Road to the south. Due to this change in topography and the clearing of trees on neighbouring land to the north of the application site, the existing built form on site is highly visible from Victoria Avenue, and has quite a dominant impact on the skyline in views from the north.
- 6.13 The north elevations of units 6, 7 & 8 would therefore also be highly visible from this view point. These units would however be lower in height than the existing building and would not project further east or west within the site than the massing of the original villa on site. Therefore, officers are satisfied that the proposal would have a reduced visual impact in these views compared to the existing built form on site.
- 6.14 Shanklin Town Council questioned whether the proposed development represents an over-development of the site. Officers consider that given the significant scale and massing of the existing building on site that the development would result in an acceptable form of development providing an adequately spacious layout within the site with ample private amenity area and parking provision for each dwelling as well as a communal garden space.
- 6.15 Officers are satisfied that the proposed development would sit comfortably within the Highfield Road street scene as well as other views from the surrounding area and be in keeping with the character of the Conservation Area, in accordance with policy DM2 (Design Quality for New Development) and policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

Impact on neighbouring properties

- 6.16 The site has neighbouring properties to the north and south, woodland to the west and fronts Highfield Road to the east.
- 6.17 The properties to the north are residential dwellings, no. 1 Highfield Road and 26 Victoria Avenue. 1 Highfield Road sits further to the east than the line of the proposed development and given the intervening 30m distance between the development and this neighbouring property and the change in ground levels Officers are satisfied there would not be a detrimental impact to the amenity of the occupiers of this property from the development.

- 6.18 26 Victoria Avenue sits at a distance of approximately 47m from the proposed development and at a lower ground level. Given this intervening distance and change in topography combined with the fact that all of the first floor windows in units 6,7 & 8 serve bedrooms or a study, Officers are satisfied that there would not be a detrimental impact to the amenity of the occupiers of this neighbouring property.
- 6.19 The neighbouring property adjoining the south boundary of the application site is a residential dwelling known as Tanglin. The owners of Tanglin and other third parties have raised objections on the grounds of loss of amenity, through over-looking, loss of privacy and noise to Tanglin and the next neighbouring dwelling to the south side of Tanglin, which is known as Moonrakers.
- 6.20 Tanglin is a two storey detached dwelling, the main north elevation wall of which sits 3.6m from the shared boundary with the application site. The property has an integral flat roofed garage on the northern elevation which sits within 1m of the shared boundary. The property has one first floor window in the northern elevation which faces the application site.
- 6.21 The existing building on the application site extends to a depth of 14.2m at a two storey height of 6m to the ridge line of the Victorian villa element of the building. To the rear (west) of this the building extends a further 9.3m with a flat roof two storey extension with a roof height of 3.6m. Due to the changing topography of the site this flat roof later addition to the building does however sit at a lower ground level, approximately 1.5m below the ground floor finished floor level of the Victorian Villa element of the building. As such the existing built form on the application site already extends 27m beyond the rear two storey of the neighbouring property Tanglin.
- 6.22 The south elevation of the application premises currently includes 8 first floor windows and one second floor window within the Victorian villa element of the property and a further four first floor windows in the later flat roof extension to the rear. Six of these windows serve bedrooms, one serves a lounge, one serves a dining room and one serves a staff room, with the rest being bathroom or staff changing facilities.
- 6.23 Given the substantial depth and height of the existing building on site and the number of windows within the southern elevation of the building the existing building on site already has a substantial impact in terms of scale and mass of the building and overlooking upon the neighbouring property Tanglin.
- 6.24 Officers do however acknowledge that the five proposed units on the southern side of the proposed development, adjacent the shared boundary with Tanglin, are proposed to be sited 10.2m closer to the southern boundary than the southern elevation of the existing building on site, leaving a 8.1m – 8.6m

distance off this boundary. The proposed units on plots 1,2 & 3 would however have a ridge height 2m below the ridgeline of the existing Victorian villa element of the building on site and an eaves height 2.8m below the eaves of the existing building. The ridge and eaves level of the units on plots 4 & 5 would be 2.4m and 1.4m respectively, higher than the height of the flat roof addition to the rear of the main building.

- 6.25 There would be ten first floor windows in the southern elevations of the proposed houses on plots 1-5, five of these would serve bedrooms with the rest serving bathrooms. As such the amount of windows at first floor level or above facing the neighbouring property Tanglin would be reduced from 9 to 5 (discounting bathrooms). Furthermore the windows in the new development facing Tanglin would only serve bedrooms or bathrooms whereas in the existing building they include habitable rooms (a dining room and lounge).
- 6.26 Whilst the proposed development would reduce the separation distances between the southern boundary and most southerly line of the built development on site, when taking into account the reduction in height compared to the existing building on site and the reduction in first floor windows facing towards Tanglin, Officers have concluded that on balance the proposal would not cause significantly greater harm to the amenity of the neighbouring property occupiers at Tanglin or Moonraker and therefore comply with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Highway considerations

- 6.27 Highfield Road is an unclassified public highway governed by a 30mph speed limit.
- 6.28 Island Roads recommended refusal of the originally submitted scheme due to the proposal seeking to introduce an additional vehicle access that failed to comply with visibility design standards and the level of onsite parking failing to comply with the Guidelines for Parking Provision as Part of New Developments Supplementary Planning Guidance.
- 6.29 The revised plans submitted have omitted the additional vehicle access, proposing instead to only utilise the existing vehicle access that serves the site from Highfield Road. Additional onsite parking has also been included to provide the development with a 16 bay car park. The revised submission also includes a Highways Technical Note that reviews the anticipated level of daily traffic movements in the context of those which may be attributable to the existing site use.
- 6.30 The vehicular access meets the required standard of 43m for visibility to the north, however is insufficient to the south with only 18.5 meters of visibility

available due to the alignment of the road and the presence of the boundary wall. The access is also limited in width at 3.90m. However when considering the level of daily traffic movements associated with the existing permitted use of the site (as evidenced within the Highways Technical Note TN01) Island Roads are satisfied that the proposal would not bring about a significant increase in daily traffic movements to provide a sustainable highway reason for refusal on these issues.

- 6.31 Island Roads are satisfied that the onsite layout complies with highway design standards allowing for all parking bays to be accessed with ease and for vehicle to turn within the confines of the site so they may enter and exit the public highway in forward gear.
- 6.32 This site falls within Zone 2 as defined within the Guidelines for parking Provision as Part of New Developments SPD January 2017 forming part of the Island Plan. In accordance with the guidance set out within Table 1, a development of this nature should typically provide 16 vehicle parking spaces and 16 cycle spaces. The development proposes to provide 16 car spaces and each dwelling is to be provided with its own garden area in which a bicycle could be accommodated and therefore Island Roads are satisfied that the development is compliant with the above policy.
- 6.33 Island Roads has raised that, due to the limited width of the vehicle access, consideration would need to be given to access for emergency vehicles to the dwellings on site in particular plots 1-5. Officers are however satisfied that the requirement for dwellings on site to meet with the fire and safety standards can be appropriately dealt with at the Building Regulation Compliance Stage of the development to seek appropriate alternatives if access by fire truck is not possible.
- 6.34 In consideration of the above Island Roads have recommended approval of the application, subject to conditions relating to parking and turning layout and the provision of wheel cleaning facilities during the construction of the development. As such it is satisfied that the proposed development would be acceptable in highway terms and would comply with policy DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

Impact to trees

- 6.35 There are several trees of high amenity located around the perimeters of the site. The most prominent of those being the 2 pines and oak tree at the front of the site. To the rear of the site there is an area of woodland that is protected by a woodland tree preservation order and has an important group amenity as well as including some individual trees of considerable worth including the 'A' grade oak tree located near the south western corner of the site. It is therefore of significant importance that the development must take care not to impact on

these trees or the amenity they offer the wider area.

- 6.36 The Council's Tree Officer has confirmed that the revised scheme now under consideration, has overcome issues of shade, dominance and tree loss previously raised through the new layout design, which has moved the properties in plots 5 & 6 away from the root protection area and shade range of the woodland, resulting in less pressure to have trees removed in the future ensuring their future amenity value. The redesign of the parking area and omission of the second vehicular access has also ensured that the high amenity trees along the site frontage would be retained.
- 6.37 In view of the above the Council's Tree Officer is now satisfied that with the use of appropriate conditions requiring the agreement of a method statement and soft-landscaping and planting, that development of the site is possible while also ensuring the health and amenity of the trees on and nearby to the site and their sylvan character, are retained and enhanced in accordance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

Financial Contributions

- 6.38 The off-site financial contributions requirement outlined within the Affordable Housing Contributions Supplementary Planning Document (SPD) document would be applicable to this proposal. The applicant has entered into a Unilateral Undertaking, committing to make the relevant monetary contribution at the appropriate stage of the development as outlined with the SPD.
- 6.39 Shanklin Town Council requested that the development make a contribution to the upgrade of the facilities at Big Mead playground. The applicant has agreed to enter into a Unilateral Undertaking, committing to make such a contribution.

7. Conclusion

- 7.1 The proposed scheme would result in the redevelopment of previously developed land within the settlement boundary of The Bay Regeneration Area, in a sustainable location.
- 7.2 The proposed development would represent good quality design which would protect and enhance the character of the Big Meade/ Highfield Road area of the Shanklin Conservation Area.
- 7.3 The proposed development would not impact on nearby properties, would be served by a safe means of access, provide a suitable level of on-site parking

and would not prejudice the longevity of high amenity trees or woodland.

- 7.4 Therefore having given due weight and consideration to all comments received in relation to this application and for the reasons given above the proposal is considered to comply with the requirements of the policies listed within this report and therefore it is recommended that this proposal is granted planning permission, subject to conditions.

8. Recommendation

- 8.1 Conditional permission subject to the signing of a legal agreement for the required contributions set out in paragraphs 6.38 & 6.39 above.

9. Statement of Proactive Working

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

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

In this instance discussions were entered into over the elements of concern within the scheme, which resulted in the submission of revised plans which the Officers were then able to support.

Conditions/Reasons

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

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

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

PL01 – Site Location Plan
PL03 Revision A – Proposed Site Plan
PL10 Revision B – Proposed Roof Plan
PL14 Revision C – Proposed Street & Site Elevations
PL15 Revision B – Proposed Site Sections A-A – D-D
PL04 Revision B – Plot 1 – Proposed Floor Plans and Elevations
PL05 Revision C – Plots 2-5 – Proposed Floor Plans and Elevations
PL12 Revision B – Plots 6 & 7 - Proposed Floor Plans
PL07 Revision C – Plots 6 & 7 - Proposed Elevations
PL08 Revision B – Plot 8- Proposed Floor Plans and Elevations
PL13 – Plots 9 & 10 – Proposed Floor Plans
PL09 Revision B – Plots 9 & 10 – Proposed Elevations
PL06 Revision A – Proposed Site Elevation towards Tanglin

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

- 3 The development hereby approved shall not proceed further than ground works until samples of materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 No development shall take place until an Arboreal Method Statement has been submitted to and agreed in writing by the local planning authority detailing how the potential impact to the trees will be minimised during construction works (including details of protective tree fencing to be installed for the duration of construction works) and during future occupation of the development. The agreed method statement will then be adhered to throughout the development of the site and thereafter.

Reason: This condition is a pre-commencement condition to prevent damage to trees during construction and 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.

- 5 Prior to the construction of the dwellings above damp proof course full details of a soft landscape scheme for the site shall be submitted to and approved in

writing by the Local Planning Authority. These details shall include a schedule of plants, noting species, plant sizes and proposed numbers/densities, planting methodology and an implementation programme. Planting shall be carried out in accordance with the agreed details and shall be regularly maintained. Any trees or plants that die, are removed become seriously damaged or diseased within 5 years of planting are to be replaced in the following planting season with specimens of a like size or species) unless the Local Planning Authority gives written consent to any variation for a period for five years from the date of the approved scheme was completed.

Reason: To ensure appropriate soft landscaping is provided for the development, in the interests of visual amenity and to comply with policy DM2 (Design Quality for New Development) and policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 6 No dwelling hereby permitted shall be occupied until space has been laid out within the site in accordance with drawing number PL03 Rev A and drained and surfaced in accordance with details that have been submitted to and approved by the Local Planning Authority in writing for 16 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

- 7 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 Development shall not proceed above groundworks until details of the means of the disposal of surface and foul water from the development have been submitted to and approved in writing by the Local Planning Authority.

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

- 9 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

Part 2

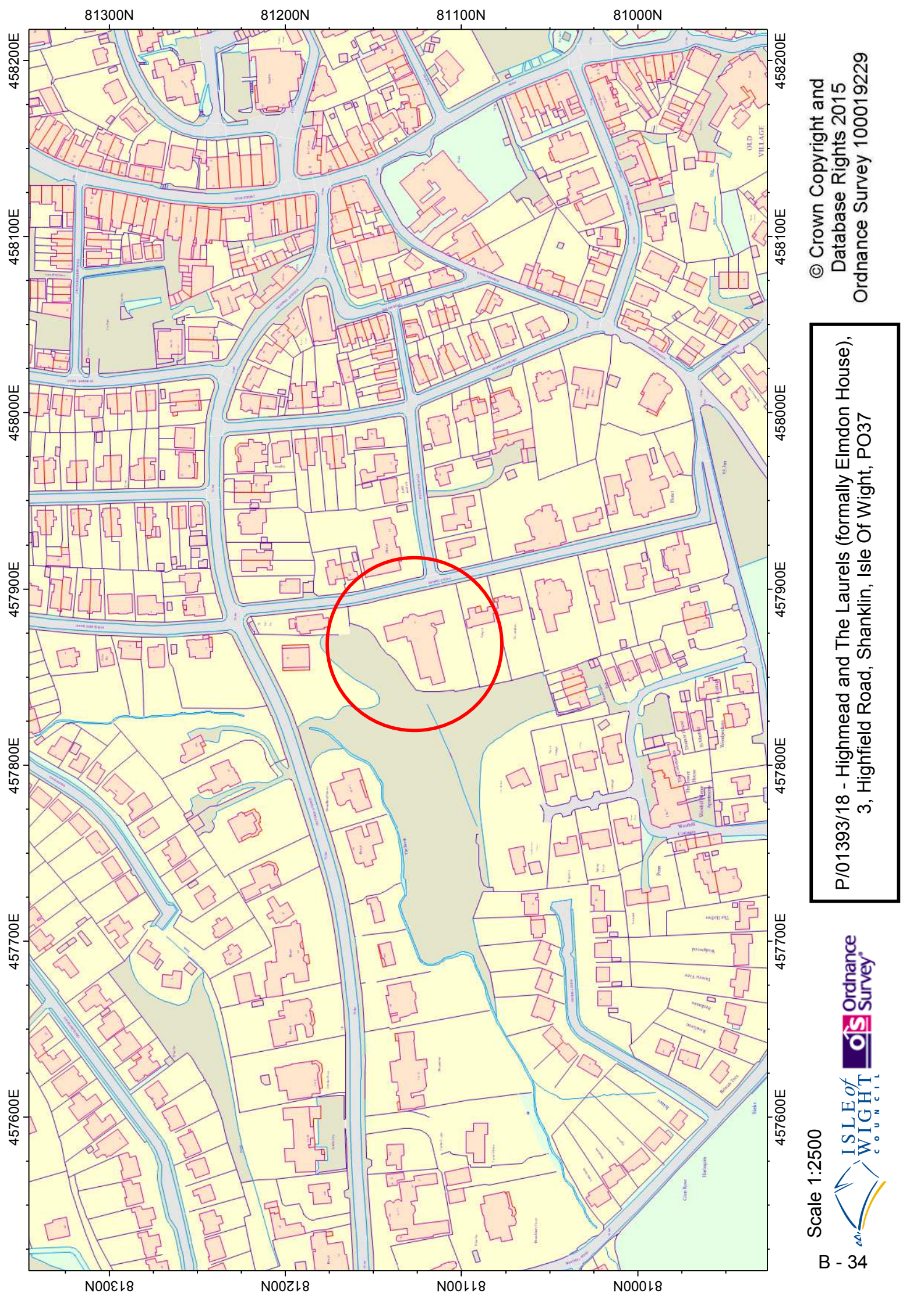
Class A - gates, fences, walls etc. (other than those expressly authorised by this permission)

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 amenities of neighbouring property occupiers and the health and amenity of the trees on and nearby to the site in accordance with Policy DM2 (Design Quality for New Development) and Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), no windows/dormer windows or roof lights (other than those expressly authorised by this permission) shall be constructed in the dwellings hereby approved.

Reason: To ensure adequate planning control over further development having regard to the amenities of neighbouring property occupiers in accordance with Policy DM2 Design Quality for New Development of the Island Plan Core Strategy.



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P/01393/18 - Highmead and The Laurels (formally Elmton House),
 3, Highfield Road, Shanklin, Isle Of Wight, PO37

Reference Number: P/00521/18

Description of application: Installation of sky trail highropes adventure course

Site Address: Sandham Gardens, Culver Parade, Sandown, PO36 8AT

Applicant: Heritage Attractions Ltd

This application is recommended for conditional permission

REASON FOR COMMITTEE CONSIDERATION

The application site is land owned by Isle of Wight Council and therefore the Constitution sets out that this application must be referred for committee consideration.

MAIN CONSIDERATIONS

- Principle of development
- Impact on the character and appearance of the site and surrounding area
- Ecology issues
- Archaeological considerations

1. Location and Site Characteristics

- 1.1. This application relates to an area known as Sandham Gardens which is located on the northern side of Culver Parade. Sandham Gardens itself stretches between Fort Street to the west and the boating lake to the east.
- 1.2. The area subject of this proposal is positioned within the eastern section of the site which currently incorporates lawned areas and a climbing wall and basketball area.
- 1.3. The overall site of Sandham Gardens includes a wide variety of leisure, tourism and play attractions such as a crazy golf course, children's playground, skate park, outdoor gym equipment, bowling green and toilet facilities. The northern boundary of the site includes vegetation and hedging and there are other areas of landscaping and grass within the site around the attractions.
- 1.4. The existing facilities on site are in a state of disrepair and add little to the visual amenity of the site. Whilst they are functional and viewed as part of the

recreational use of this site, the attractions are tired in appearance and look to be in need of improvements/upgrading.

- 1.5 Given the seaside location of the site, the surrounding area provides many leisure and tourism attractions such as Browns Golf Course, Dinosaur Isle and the Isle of Wight Zoo. The beach lies to the south of the site on the opposite side of Culver Parade and to the west incorporates a number of hotels, residential/holiday buildings and restaurants/cafes.

2. Details of Application

- 2.1 The application seeks consent for the construction of a sky trail high ropes adventure course within the eastern section of Sandham Gardens.

- 2.2 The submitted information details that the proposed development would include a 13.5 metre high two part, three storey main sky trail adventure frame with a further 3 metre high single storey Sky Tykes Course for younger children.

- 2.3 The main frame of the structure would occupy a footprint of approximately 7 metres by 30.65 metres whilst a Sky Rail outrigger at first and second floor level would extend the overall reach of the attraction to 13.5 metres by 30.65 metres. The four modular frames would extend over two levels at a maximum height of 10.8 metres and the two southernmost modules would extend to a further third level with a maximum height of 13.5 metres above ground level.

- 2.4 The frame of the course would be manufactured from steel components and galvanized for added protection from the corrosive atmosphere of the seafront location of the site. This colour scheme for this frame would be a combination of browns and greens. Other elements including rope and wire would make up the course itself. It is proposed to lay a wood chip base surrounding the structure.

- 2.5 The proposed high ropes adventure course would be located to the rear of the existing golf course area on the site of the existing basketball court, climbing wall and lawned area adjacent the bowling green.

3. Relevant History

- 3.1. None relevant.

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.

4.2 Paragraph 7 highlights that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- Economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- Social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
- Environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

4.3 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.

Local Planning Policy

4.4 The Island Plan Core Strategy defines the application site as being within The Bay Key Regeneration Area. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP4 Tourism
- SP5 Environment
- DM2 Design Quality for New Development
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk

5. Consultee and Third Party Comments

Internal Consultees

- 5.1 The Emergency Management Team has confirmed it raises no objection to the proposal.
- 5.2 The Ecology Officer recommends the imposition of a condition to secure appropriate mitigation and enhancement measures.
- 5.3 The Archaeology and Historic Environment Service have advised that conditions should be imposed to avoid damage to any significant archaeological remains.
- 5.4 The Environmental Health department has confirmed that conditions should be applied in relation to further details and measures in respect of land contamination.

Parish/Town Council Comments

- 5.5 Sandown Town Council has confirmed it supports the application.

Third Party Representations

- 5.6 A total of 74 comments have been received supporting the proposal for the following reasons:
- Attraction for all ages
 - Enhancement of tourism and leisure facilities
 - Regeneration of Sandown
 - Investment into the area of benefit to visitors and residents
 - High quality attraction/facility
 - Creation of jobs
 - Increase tourism and trade for surrounding area
 - Proposal promotes activity and well-being for children
- 5.7 A further two comments have been received stating support for the proposal but raising the following queries/concerns:
- Safety of structure given height – how frequent would inspections be?
 - Loss of existing, valuable and free facilities which should be retained and relocated
 - Security of the site
 - Suitable tree planting and landscaping should be included to replace any trees that are removed

- Condition should be imposed requiring the facility to be operational as soon as possible

5.8 A further comment has been received from a local resident stating that the proposed attraction appears fun and would be used by residents or visitors. However, the following concerns are raised:

- No information as to charge for use of facility
- Security and safety of site
- Damage/removal to trees – approval should require new planting of species which would grow well

6. **Evaluation**

Principle of development

- 6.1 The application site lies within an established tourism and leisure part of Sandown along the coastline opposite the beach. The overall site of Sandham Gardens currently provides an array of activities and facilities which complement the seaside location of the site and surrounding tourist uses including the golf course, pier, zoo and numerous hotels, cafes and restaurants.
- 6.2 This application has been submitted as Phase 1 of a wider regeneration scheme/project for Sandham Gardens. The application is accompanied by an illustrative masterplan which details that the proposed sky trail high ropes course would form one element of a comprehensive scheme to improve, upgrade and refurbish the facilities on offer within the site. Works not requiring the benefit of planning permission have been commenced on site with the upgrading of the existing crazy golf course and general improvements to the visual appearance of the site. Given the timescales involved with the ordering and construction of the proposed sky trail course, this current application has been submitted in advance of seeking consent for the other elements of the wider scheme. Subsequent applications would be submitted for the other aspects of the redevelopment which require planning permission.
- 6.3 Policy SP3 (Economy) of the Island Plan Core Strategy states that economic growth on the Island through the plan period will be focussed upon employment, retail and high quality tourism where development will be primarily located within the Key and Smaller Regeneration Areas.
- 6.4 In terms of tourism, policy SP4 outlines that the Council will support sustainable growth in high quality tourism and proposals that increase the quality of existing tourism destinations and accommodation across the Island. In addition, there is an aspiration to see the Island become an all year round tourism destination which develops green and new niche tourism products and development proposals will be expected to reflect this.

- 6.5 The Isle of Wight Tourism Development Plan seeks to ensure that the Isle of Wight maximises the potential of the tourism industry and enables it to grow in a way that is economically, socially and environmentally sustainable. In respect of tourist attractions, the plan highlights the need to refresh and update the content of attractions across the Island to encourage new and return visitors and that priority should be given to improving the quality of all existing attractions.
- 6.6 The proposed high ropes adventure course as shown within this application would form part of a comprehensive regeneration scheme for Sandham Gardens. The addition of such an attraction/facility to this site would complement the existing array of leisure and tourism activities within the site itself and the surrounding area. It is considered that the proposal would serve to improve on the existing leisure offer of the site and contribute to improving the economic benefits and regeneration of Sandown.
- 6.7 As noted above, concerns have been raised by third parties and local residents with regard to the impact of the proposed development on the existing facilities within Sandham Gardens. In particular, it has been asserted that the free facilities in the form of climbing wall, basketball area and Adizone gym would be replaced by the course which would be subject to a charge. The submitted plans and information details that the proposed adventure course would be sited on the eastern half of the site and as such would be in the location of the existing climbing wall and basketball area. However, it is proposed to relocate the climbing wall within the site to the north of the gym facilities and as such this element would not be removed from the site. Whilst the proposal would result in the loss of the basketball area, there are other similar facilities within the western part of the site within the football pitch enclosure. Taking this into account, it is considered that there is no need for two such similar activities within the site and the removal of the basketball area would not result in any harm to the leisure/tourism facilities of the site. The Adizone gym facility would remain on site in its current position.
- 6.8 Given that the proposed development would contribute to the improvement and regeneration of an existing and established tourism site, it is considered that it would be acceptable in principle. The application therefore accords with the requirements of policies SP3 (Economy) and SP4 (Tourism) of the Island Plan Core Strategy as well as the objectives of the Isle of Wight Tourism Development Plan.

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

- 6.9 As detailed above, the overall site of Sandham Gardens is located on the northern side of Culver Parade between Fort Street and the boating lake. The site includes numerous leisure and tourism facilities across the site interspersed with lawned areas and vegetation/landscaping. Given the topography of the land, the site is set down from the highway.

- 6.10 By virtue of the nature of the sky trail course proposed, the structure would be large in terms of both footprint and height. It would occupy the eastern section of the site to the rear of the existing crazy golf course. As such, it would be set back from the roadside frontage of the site.
- 6.11 Whilst the proposed development would be a sizeable addition to the site, it is considered that it would be viewed in context with the established tourism/leisure nature of the site as well as the character of the surrounding area. By virtue of the set down nature of the application site in relation to Culver Parade, the course would appear lower than the overall height. In addition, given the structural nature of the course, it would be largely open and as such would allow an element of views through and across the site and would therefore not appear overdominant or intrusive.
- 6.12 In terms of the appearance, the proposed high ropes course would appear as a fit for purpose structure that would integrate with the use of the site and surrounding area. Given the seaside location and tourist character of this part of Sandown, the development would provide an interest feature to the site. Whilst it would be visible from the wider area due to the size and height, it is considered that this would not cause any harm or detrimental visual impact. The proposed position of the course within the site would reduce the level of visual impact as a result of the set down site levels and the structure itself would not appear intrusive. It is therefore considered that the proposed development would not result in any detrimental impacts to the character and appearance of the site or surrounding area and therefore complies with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Ecology issues

- 6.13 The application site lies on Culver Parade and adjacent to the Sandown Levels site of Importance to Nature Conservation (SINC) which is located to the rear (north). As such, the impacts of the proposal on ecology and biodiversity must be considered.
- 6.14 Given the location of the site in relation to the designated SINC, this application has been accompanied by a Biodiversity Report. This report sets out that proposal falls within an existing designated public play and recreation area including currently maintained and mown lawn. Taking this into account, the proposed development would not result in any harm to the designated area particularly as the proposed equipment would be located towards the front of the site onto Culver Parade. This report continues to state that there is scope for enhancement and improvements to the site in terms of biodiversity through landscaping and planting as well as the creation of wildlife refuges and foraging habitats.

- 6.15 The Council's Ecology Officer has reviewed the submitted information and proposed development in respect of ecological considerations. It is considered that sensitive design and layout would result in the avoidance of detrimental impacts to the adjacent SINC and that ecological enhancements of the site and surrounding area could be secured through this development. The proposal includes for enhanced landscaping and planting throughout the site for wildlife together with the provision of a wildlife trail. These enhancements are encouraged and supported and as such a condition is recommended to ensure that the detailed measures are carried out on site.
- 6.16 Third parties have raised concern over the impacts of the proposed development in terms of loss of trees. The information accompanying the application details that no trees would be removed to facilitate this proposal. In addition, the officer site visit established that there are no trees within the section of site proposed for development. Given that the landscaping and planting for the site can be adequately controlled through condition, it is considered that the development would not result in any adverse impact in this regard.
- 6.17 Overall it is considered that the proposed sky trail course would not result in any detrimental impacts to the ecological and biodiversity values of the site or adjacent SINC. Furthermore, subject to the imposition of an appropriate condition, the proposal would result in enhancements to landscaping and wildlife habitats. It is therefore considered that the proposal complies with the requirements of policies SP5 (Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

Archaeological considerations

- 6.18 The proposed adventure course lies within the site Sandham Fort and Sandham Grounds. As such, it is possible that archaeological deposits associated with these heritage assets (in particular remains of the fort walls and archaeological deposits associated with the moat) may be disturbed by the proposed development.
- 6.19 On the basis of the above, a Heritage Report and desk based archaeological assessment has been submitted with this application. These documents set out that the potential for the survival of buried remains dating back to the 17th and 18th Centuries within the site is high.
- 6.20 The Council's Archaeology and Historic Environment Service has reviewed the proposed development and submitted information in light of the archaeological interest of the site. The formal comment states that whilst a desk-based assessment and report have been commissioned and submitted, the archaeological interpretation report from the borehole investigation has not been provided. In order to avoid any damage to significant archaeological remains, it

is considered that no development should take place on site until the results of the borehole investigations have been interpreted. The results of this should inform the method and location of construction to avoid damage. It is considered that these measures can be adequately secured through appropriately worded conditions.

- 6.21 Subject to the imposition of the aforementioned conditions, it is considered that the proposed development would not result in any impacts in terms of archaeology and therefore complies with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Other issues

Flood Risk

- 6.22 The application site is located within flood zones 2 and 3 as defined by the Council's Strategic Flood Risk Assessment. Therefore, it must be determined that the proposal would not result in any increase in terms of flood risk.

- 6.23 Sandham Gardens is an area of designated open space which is set out as a park and garden used for sport, leisure and recreation. The proposed development would consist of a sky trail high ropes adventure course which would complement the existing activities within the site. On this basis, it is considered that the proposal would be appropriate for this site given that the site is classed as a water compatible use within technical guidance. The application therefore complies with policy DM14 (Flood Risk) of the Island Plan Core Strategy.

Noise and contamination

- 6.24 The Council's Environmental Health department have commented on the proposed development in terms of potential noise and contamination of the land. This is as a result of the location of the site and nature of the proposed development.

- 6.25 In relation to noise, it is considered that the nature of the noise from such a facility/attraction as that proposed would include noise from participants (shouting, screaming etc) as well as the impact/runner noise from the harnessing mechanisms and rails. Given the nature of the existing nearby uses of a children's playground, crazy golf, skate park and go-karting, it is considered that the likely noise generated from the proposal would not be out of character for this area and would not lead to any significant adverse impacts on health and quality of life. In addition, it is noted that the nearest residential property is approximately 190 metres away and therefore a sufficient distance to ensure that noise from the development would not cause nuisance. Furthermore, hours

of use would be restricted, ensuring no impact on sleep would occur, when other background noise levels are lower.

6.26 Turning to contamination, the application documents detail that the site has historically been used for landfilling by 'town refuse'. On this basis and as a result of the low lying nature of the site, Environmental Health have advised that there is the potential for ground gas from both of these sources.

6.27 As a result of the above, the Environmental health department have recommended that conditions are imposed requiring appropriate investigations and remediation measures to be carried out. In addition, it is noted that a condition has been suggested requiring a gas protection membrane to be incorporated into the kiosk structure. This kiosk does not form part of this proposed development and therefore it is not considered reasonable to impose such a condition in this regard. However, an informative has been recommended to advise the applicant of this suggestion for future structures on the site.

Third party queries/concern

6.28 During the consultation period for this application, third parties have raised some concerns and queries with regard to the proposed development. These include the safety of the structure and frequency of safety inspections and the security and safety of the site. In addition, it has been highlighted that the application does not include any information in relation to proposed charges for use of the facility. Whilst these comments are acknowledged, they do not constitute material planning considerations and as such hold no weight in the determination of this application. These queries/questions should be raised with the developer. Furthermore, the application documents set out that it is proposed to install 2.4 metre high 'anti climb open mesh' fencing around the structure for security and health and safety purposes.

6.29 A further third party comment has requested that a condition is imposed requiring the facility to be operational as soon as possible. From the information provided with the application, the intention is for the attraction to be in place and operational by March 2019. A standard condition is recommended requiring the development to be carried out within 3 years of permission however the Local Planning Authority has no control over the completion of the development.

7. Conclusion

7.1 Having given due regard and appropriate weight to all comments received in relation to this application and for the reasons set out above, it is considered that the proposal complies with the policies listed within this report. Therefore it is recommended that the development is approved subject to appropriate conditions.

8. Recommendation

8.1 Conditional permission

9. Statement of Proactive Working

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

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

In this instance:

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

Conditions/Reasons

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

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

2 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered RP/1040/PL01 and PL03 together with the site plan, plan, sky tykes plans, elevation 1 and sky tykes elevation as included in the Ropes Courses information reference R1.01_Sandham Downs dated 02.28.18.

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

3 The landscaping of the development and ecological enhancements shall be carried out and completed in accordance with the approved details and at the agreed times. The plans shall include, any trees or plants which within a period

of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless otherwise approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure that measures would be taken throughout the development to protect the condition and use of the open space on site in accordance with the aims of policies SP5 (Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM13 (Green Infrastructure) of the Island Plan Core Strategy.

4 No development shall take place until:

- the applicant or their agents has presented the archaeological interpretation of the borehole investigation
- a method of construction has been agreed, in particular the foundations for the upright poles, and
- a programme of archaeological works has been secured in accordance with a Written Scheme of Investigation which has been agreed in writing by the County Archaeology and Historic Environment Service, and approved by the planning authority.

The development shall be carried out in accordance with the agreed details.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record in accordance with policy DM11 of the Isle of Wight Council Island Plan Core Strategy.

5 To facilitate monitoring of the on-site archaeological works, notification of the start date and appointed archaeological contractor should be given in writing to the address below not less than 14 days before the commencement of any works:-

Isle of Wight County Archaeology and Historic Environment Service
Westridge Centre
Brading Road
Ryde
Isle of Wight
PO33 1QS

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record in accordance with policy DM11 of the Isle of Wight Council Island Plan Core Strategy.

- 6 The developer shall provide a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been carried out to accepted standards and in accordance with good practice.

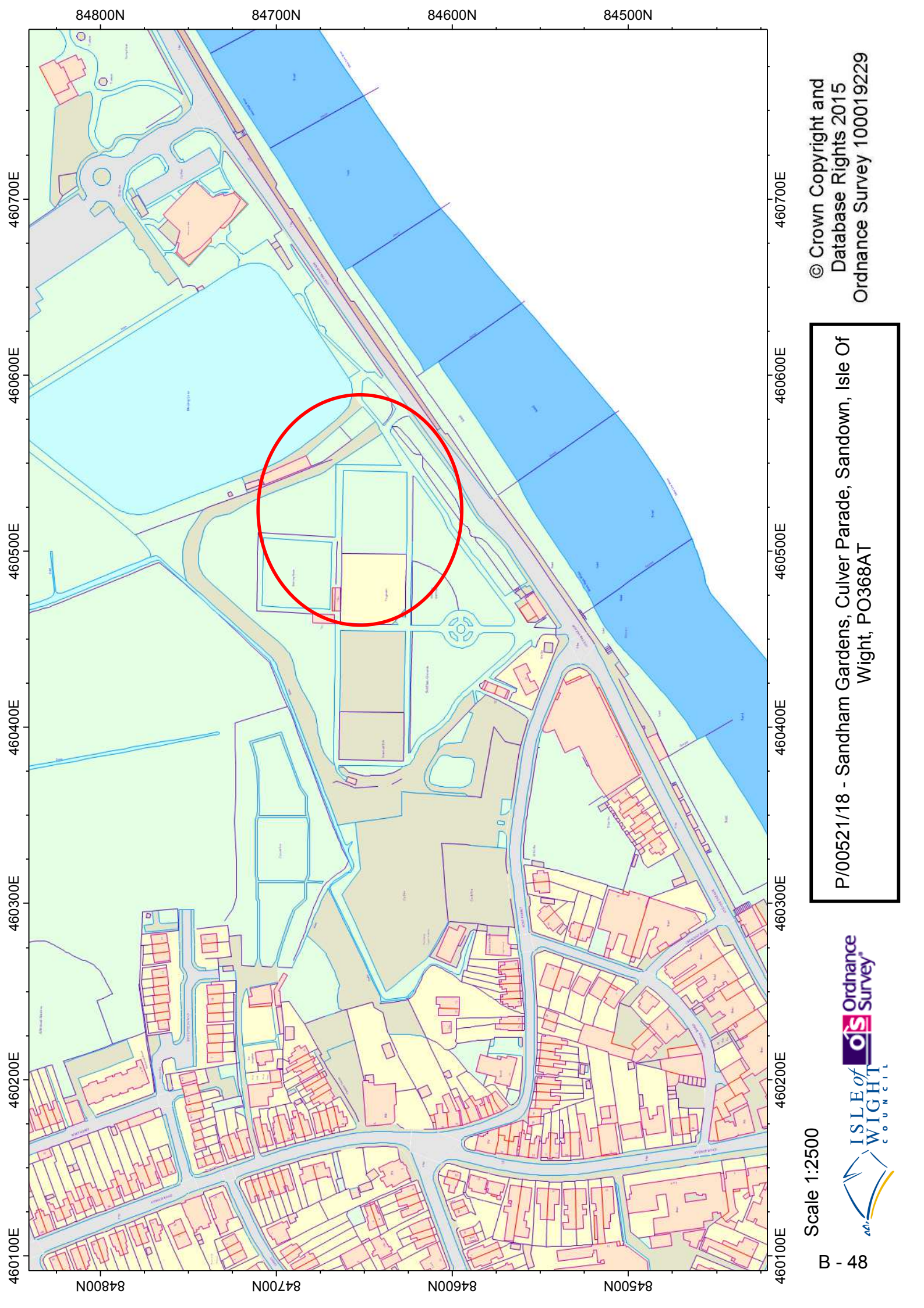
Reason: To protect the environment and prevent harm to human health by ensuring that where necessary, the land is remediated to an appropriate standard in order to comply with Part IIA of the Environmental Protection Act 1990.

- 7 The high trail adventure course hereby permitted shall not be operational outside of daylight hours at any time of the year.

Reason: To safeguard the residential amenities of nearby properties to ensure the development would not cause any unacceptable noise or disturbance to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Informative:

- 1 The applicant is advised that gas protection measures should be incorporated into the design and structure of any new structures/kiosks on this site to ensure a CS3 level of protection is achieved. This is to reduce potential impacts from ground gas and contamination.



Scale 1:2500



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 Wight, PO368AT