

## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 30 OCTOBER 2018

### REPORT OF INTERIM HEAD OF PLANNING & INFRASTRUCTURE DELIVERY

#### WARNING

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

#### Background Papers

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

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

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

**LIST OF PLANNING APPLICATIONS  
REPORT TO COMMITTEE - 30/10/2018**

1	<p>P/00422/18 TCP/05353/G</p> <p>National Westminster Bank Plc, 104 High Street, Cowes, Isle of Wight, PO31 7AU</p> <p>Proposed change of use/ extension and alterations of Bank to mixed use accommodation/ retail and dining (revised description)(readvertised application)</p>	<b>Cowes</b>	<b>Conditional Permission</b>
2	<p>P/00354/18 TCP/33425</p> <p>land adjacent to 255, Gunville Road, Newport, Isle of Wight, PO30</p> <p>Construction of 12 dwellings and garages; formation of new vehicular access, associated roadway and pavement; landscaping.</p>	<b>Newport and Carisbrooke</b>	<b>Conditional Permission</b>

**Reference Number:** P/00422/18

**Description of application:** Proposed change of use/ extension and alterations of Bank to mixed use accommodation/ retail and dining (revised description) (re-advertised application)

**Site Address:** National Westminster Bank Plc, 104 High Street, Cowes, Isle of Wight, PO317AU

**Applicant:** Mr Tewksbury

**This application is recommended for conditional approval**

### **REASON FOR COMMITTEE CONSIDERATION**

The Chairman has requested that the application be considered by the planning committee as it involves the redevelopment of a prominent building within the Cowes Conservation Area and could impact on wider regeneration aspirations.

### **MAIN CONSIDERATIONS**

- Principle of the proposed development
- Impact on the character of the conservation area and adjacent listed building
- Impact on neighbouring properties
- Highway consideration

#### **1. Location and Site Characteristics**

- 1.1 The application site occupies an area of 0.05 hectares within Cowes High Street, approximately 15 metres south of Town Quay. The site includes the former Natwest Bank and land to the side and rear.
- 1.2 The uses surrounding the site are mainly commercial, some of which contain residential above ground floor level. Buildings are generally two and three storeys, with some accommodation being contained within roofs. There is significant variety in the height, design and materials of buildings surrounding the site.
- 1.3 The existing building is two storeys, constructed of yellow brick under a flat roof. The form of the building is very square with little articulation to the footprint or height, when viewed from the front. The height reduces

to the rear to single storey.

- 1.4 The area surrounding the site forms part of the Cowes Conservation Area (Town Centre Area). Vectis Tavern, Fountain Hotel and The Arcade to the north of the site are all listed buildings.

## **2. Details of Application**

- 2.1 The application seeks consent to construct an additional floor onto the building, re-clad the external elevations, extend to the rear and side and convert to form small retail outlets at ground floor level, restaurant and bed and breakfast rooms on the first floor and further bedrooms on the second floor. In total 17 bedrooms would be provided.
- 2.2 The application has been amended since originally submitted, so that the proposals are now seeking to provide a single additional storey, when viewed from the front as opposed to two. The building would retain its flat roof appearance but would see the height raised to be comparative to the neighbouring property gable.
- 2.3 The external appearance of the building would be made more cohesive with cladding and glazing, over all elevations.
- 2.4 The proposed extension would see the rear of the building project further into the existing car parking area to the rear, over three floors. The upper storey would be set in from the front and side elevation.
- 2.5 As outlined above the extensions to the building would allow it to be converted to provide a mix of uses, with retail concessions on the ground floor, and a themed restaurant on the first floor with a small number of themed rooms and further accommodation of the second floor.
- 2.6 An element of the proposed extension would link the building to the adjacent bar 'That 60s Place'.

## **3. Relevant History**

- 3.1. None relevant

## **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 Cowes and within the Medina Valley Key Regeneration Area. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP3 Economy
- SP4 Tourism
- SP5 Environment
- SP7 Travel
- DM2 Design Quality for New Development
- DM8 Economic Development
- DM9 Town Centres
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM17 Sustainable Travel

- 4.4 Parking Provision for New Developments Supplementary Planning Guidance.

## **5. Consultee and Third Party Comments**

### Internal Consultees

- 5.1 The Council's Emergency Management Team has raised no objection but recommends conditions should the application be approved.
- 5.2 The Council's Environmental Health Officer acknowledge that matters of sound insulation would be dealt with at building regulations stage but question the potential impact on any required extraction systems, which are not detailed on the plans.

### External Consultees

- 5.3 The Highway Engineer from Island Roads raises no objection but recommended a condition relating to a construction management plan and the closure of the existing access off the High Street, should the application be approved.
- 5.4 The Environment Agency raises no objection but recommend a condition should the application be approved.

### Parish/Town Council Comments

- 5.5 Cowes Town Council objected to the application on grounds that can be summarised as follows:
- Scheme would not enhance the Conservation Area
  - Proposed development would be out of keeping with the existing properties in the area
  - Would be over-dominant in its dimensions
  - No parking, which would put additional pressure on parking in the town as a whole

### Third Party Representations

- 5.6 11 letters of objection have been received from local residents the content of which can be summarised as follows:
- Do not need more coffee shops.
  - Stage would not fit in with the peaceful local style of the town with residents living nearby.
  - Overbearing characteristics.
  - Height, emphasised by expressing vertical glazed elements without projection or recession.
  - Austere and featureless design.
  - Will the windows be opening?

- Boundary treatment?
- Facing materials?
- Sharing of waste storage is not explained.
- Footprint covers the existing parking and servicing areas.
- Fails to enhance and would have a negative impact on the conservation area.
- Lack of parking.
- Out of keeping.
- Would add to congestion.
- Cowes lacks access to the waterfront and therefore building should simply be demolished to allow open public spaces.
- Contemporary in design.
- Design is incongruous in its height, scale and mass overshadowing buildings around it.
- Cuts off views from the high street to the waterfront.
- Site is within a flood plain.
- Would preclude a more comprehensive re-development around the gateway area for an intermodal transport hub.
- Provision of an enclosed arcade, of minimal sized retail outlets, lacks synergy with the High Street.
- Shopping 'mall' leads to nowhere.
- Size of units would make than extremely different to let.
- Contrary to policy.

5.7 1 letter of support has been received outlining that the proposed development would enrich the culture and economic life of Cowes

## **6. Evaluation**

### Principle of the proposed development

- 6.1 The application site is located within the town centre of Cowes and was previously used as a bank but has been vacant for some time since the bank was closed.
- 6.2 The application seeks consent to extend, renovate and covert the building to provide small retail outlets at ground floor level, restaurant and accommodation rooms on the first floor and further bedrooms on the second floor. In total 17 bed and breakfast rooms would be provided.
- 6.3 The proposed ground floor would replace the bank with multiple retail outlets. These would be small in scale to attract start-up businesses, that cannot afford the larger scale retail units within the High Street. Officers consider this to be acceptable and would provide flexible space, where the units could be very small or combined to create slightly larger

spaces, depending on the need and demand. This area would also include a post office, to replace the facility lost from the town centre a few years ago. Works to achieve this have already commenced, as this element does not require permission.

- 6.4 Concerns have been raised by third parties that the size of the units would make them extremely difficult to let. However, no evidence has been provided to explain why this would be the case, yet the applicant has indicated discussions have taken place with potential end users who have supported the approach of versatile space, which can be adapted as business needs change. Comments also outlined that the scheme would lack synergy with the High Street. Officers do not consider this to be the case. Although Cowes may not have any inside arcades, the concept of a narrow street with small independent retailers is characteristic of the town.
- 6.5 The second floor would provide a combination of uses. A restaurant space, which would serve as an extension to the adjacent premises 'That 60s Place' and five rooms to be used as accommodation. The restaurant would be mainly serviced through the existing kitchens of the adjacent bar/restaurant, as such overcoming the concerns of environmental health, with regards to the need for additional extraction systems.
- 6.6 The restaurant would provide for approximately 150 covers and is not dissimilar to other eating establishments with Cowes, which have additional tables/covers on the first floor. Officers consider this element of the scheme to be acceptable. It would provide for the expansion of a successful existing enterprise while also allowing it to be more versatile, providing overnight accommodation for visitors.
- 6.7 Concerns have been raised by third parties with regards to the potential noise associated with the use of the upper floors. However, planning policies support the use of spaces above ground floors which would increase the vitality and viability of the town centre. The proposed development would do just this, supporting the important evening economy, as well as tourism. Should the facility decide to provide live music, like others in the area, they would be subject to the controls set by any licence with regards to noise.
- 6.8 Comments that Cowes does not need any more coffee shops are not material planning considerations and relate to competition in the market, which is generally considered good for the consumer.
- 6.9 The accommodation on the first and second floor would provide themed bed and breakfast rooms, increasing the accommodation offer within



Cowes town centre.

- 6.10 The principle of the proposed development is considered to comply with policy DM9 (Town Centres) and the emphasis within the NPPF on increasing the vitality and viability of town centres.

Impact on the character of the conservation area and adjacent listed building

- 6.11 The application site is located within the conservation area of Cowes. However, the existing building has little to no architectural merit. The proposed alterations to the front elevation, including the increase in height and re-cladding with timber boarding, is considered to result in an enhancement to the conservation area. The building materials would be more akin to other more recent developments in the vicinity of the site and would benefit the street scene.
- 6.12 The proposed development does include a large extension to the rear, which would extend the building over three floors into an existing car parking area. This extension would be visible from the water and the seating area adjacent to the Red Jet terminal. From these vantage points the rear of the existing buildings is very disjointed and detracts from the conservation area and seascape. The proposed development would result in a tidier and more cohesive appearance to the site.
- 6.13 The application site is located approximately 9 metres to the south of Vectis Tavern, a grade II listed building. The adjacent bar 'That 60s Place' sits between the two buildings. The proposed increase in height, as amended is considered to increase the building to a scale comparative to those around it and would not have an over-dominating impact on this listed building. 'That 60s Place' providing a visual step in scale, between the site and the listed building. Furthermore, the second floor has been set back so as to reduce the potential impact further.
- 6.14 When viewing the site from the rear the adjacent buildings would screen the site from the listed Tavern, thus ensuring no unacceptable impact to its setting.
- 6.15 The Fountain Inn and Arcade further to the north are also listed but these are considered to be distant from the site and when viewed within the street scene as a whole the proposed increase in height and extension would not have an impact on their setting.
- 6.16 Concerns have been expressed by third parties that the proposed use of the building would not 'fit with the peaceful local style' However, the conservation area appraisal defines the character of the site as "small

scale, historic and lively centre of a town". Officers would agree with this and consider that an additional/expanded restaurant would add to this lively centre, increasing the viability and vitality of the town, in accordance with policy DM9 and the NPPF.

- 6.17 Third party comments have also expressed concern that the proposed development would block views of the waterfront from the High Street, which are current afforded through the gap between the buildings. A narrow view of boats is currently possible when traveling down the High Street. However, this is not considered to be fundamental to the conservation area or the appreciation of the waterfront setting of Cowes. The proposed development would provide an access route through the site to the public realm to the rear, which is adjacent to the water's edge, improving access.
- 6.18 On balance and taking into consideration the appearance of the existing building, officers consider that the proposed development would enhance the conservation area.

Impact on neighbouring properties

- 6.19 The site is located adjacent to two properties, which could be impacted upon as a result of the proposed development, numbers 106 and 103 High Street. Number 103 High Street is owned by the applicant and is occupied by 'That 60s Place' a bar/restaurant, to which the application would represent an extension. The proposed development is considered to have an acceptable level of impact on this property, with any harm being possible to mitigate through internal alterations by the owner. Windows do face onto the site, where the proposal would extend, however these serve an area currently used for storage and therefore the impact would not be unacceptable.
- 6.20 The property to the south, no. 106 is a restaurant at ground floor level and associated kitchen and staff facilities on the first floor with what appears to be residential accommodation above. The increase in height to the front of the site would not have any impact on amenity, with the neighbouring building being set further forward than the existing building on site.
- 6.21 A letter of representation has raised concerns that the proposed increase in height would have an impact on an existing window in the side elevation of no. 106. The built form would be set off this elevation to not impact directly on the window itself. Due to the proximity of the extension, there would be a loss of light to this window, but it is obscured glazed and therefore currently serves accommodation with little amenity value. The impact is therefore considered to be acceptable

in planning terms.

- 6.22 The proposed extension would have some impact on the light to upper storeys and a balcony. However, as the extension is to the north, and considering the relationship between properties in this area, the increase in height is considered, on balance, to be acceptable.
- 6.23 The side elevation does incorporate some small balcony areas. Having regard to the existing overlooking to the rear elevations of the neighbouring properties, from the area of public realm, the impact from these balconies is considered to be acceptable.
- 6.24 Comments have been received by Red Funnel and Cowes Harbour Commissioners, who occupy sites that are adjacent to the site, raising concerns that the proposal would impact on the ability for a cohesive redevelopment of the site to be undertaken. However, although there may be aspirations to achieve this, there is no formally submitted scheme. The application cannot be refused on the grounds that an alternative scheme may come forward but must be determined in accordance with the policies and material considerations. A potential future scheme cannot be a material consideration in these circumstances.

#### Highway considerations

- 6.25 Island Roads originally reviewed the application and requested additional information seeking confirmation as to how the proposed units would be serviced without negatively impacting on the safety of highway users and compromising the free flow of traffic. As a result, the applicant has provided additional information in the form of the document 'Parking Assessment' dated September 2018 and the application will therefore be further evaluated by Island Roads.
- 6.26 The site is currently served by an existing vehicle access that forms a junction with the public highway serving a car park to the rear of the site. On review of the submitted information this access, and the associated onsite parking is to be lost with no alternative means of vehicle access to be provided. It is proposed that the site would utilise the existing on-street public loading / unloading facilities located to the south-west of the site within Carvel Lane, as is common practice with other existing businesses in the local area.
- 6.27 Island Roads have recommended that to prevent site users from attempting to utilise the existing vehicle access as a pull in / vehicle service area and in turn be forced to reverse out onto the public highway compromising the safety of both themselves and highway users, a condition be imposed requiring the access to be formally stopped up in

accordance with a scheme to be approved. It is recommended that the kerb line and abutting footway be remodelled, and bollards / street furniture be installed clear of the public footway. These works would be deemed to be essential on highway safety grounds due to the daily traffic flow and pedestrian footfall on this part of the highway network. While it is acknowledged that existing Traffic Regulation Orders prevent vehicles from parking on the public highway immediately in front of the site, if an open forecourt at the existing vehicle access were to remain it may encourage delivery vehicles and pick-up / drop offs to utilise this area and potentially obstruct the public highway which at the point in question operates as part of a One-Way system that carries the local bus route and all vehicle traffic exiting the Red Funnel passenger ferry service.

- 6.28 The site falls within Zone 1 as defined within the Local Authority Parking Guidelines SPD, and applications brought forward within this zone are actively discouraged from providing onsite motor vehicle parking due to the accessibility of their location.
- 6.29 The site is within walking distance of local public and private pay and display car parks, the local bus route (providing links between Cowes and Newport with this nearest stop being within Carvel Lane just to the east of the site), and the Cowes to Southampton passenger ferry service, along with the Cowes to Newport Cycle Route. In line with the above the application does not include for any onsite motorised vehicle parking provision and is therefore reflective of the Local Authority Parking guidelines.
- 6.30 Due to the scale and nature of the proposal, coupled with the accessibility of the location the traffic generation associated with this proposal would not be deemed to have a negative impact on the capacity of the local highway/project network.
- 6.31 However as highlighted earlier in this report it is deemed to be essential that if approved the existing vehicle access to the site from the High Street be 'Stopped Up' in accordance with details to be approved to minimise the risk of it being used as an informal pickup / drop off servicing point which could otherwise obstruct users of the High Street and prevent the free flow of traffic. In addition, Island Roads consider that should officers deem it to be sustainable and enforceable it is recommended that a condition be imposed to obligate site users to use the exiting on-street public loading bays for means of servicing the site.
- 6.32 On review of accident data, there has been one recorded incident in the last 3 years within the vicinity of this site. This incident occurred at the following location, taking the following form: -

Location: High Street junction with Carvel Lane

Form: Car travelling south along the High Street turned slowly into Carvel Lane and collided with a pedestrian who had failed to look properly when crossing the road.

Based on the content of the incident report the collision was brought about because of pedestrian error as opposed to the nature and layout of the local highway network. Therefore, when considering the proposed form of development this isolated incident is not seen to provide a sustainable reason for refusal.

- 6.33 Due to the limitations of the public highways within the vicinity of the site (width, parking restrictions, vehicle and pedestrian flows) its status as a bus route and the only means of exit from the local passenger ferry port, along with the confined nature of the application area itself; it is therefore recommended by Island Roads that a condition be imposed requiring the applicant to submit for approval prior to commencement a comprehensive 'Construction Management Plan' clearly identifying how the development would be serviced throughout the construction phase without negatively impact on the public highway and the safety of its users.

## **7. Conclusion**

- 7.1 Having given due regard and appropriate weight to all material considerations officers consider the proposed development would enhance the conservation area, without having an unacceptable impact on neighbouring property amenity or highway safety.

## **8. Recommendation**

- 8.1 Conditional permission.

## **9. Statement of Proactive Working**

- 9.1 In accordance with paragraph 38 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following way:

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

possible

In this instance the applicant was provided with pre-application advice and updated of any issues after the initial site visit. Concerns were raised in respect of highways and the height of the proposed extended building. Revised plans were provided during the course of the application that overcame the Council's concerns.

### **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

**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. Prior to the installation of any new surface finish or the construction of the proposed extension above foundation level samples of materials to be used in the construction of the external surfaces of the development hereby permitted and fenestration treatment (including materials, frame design and means of opening) 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 conservation area and to comply with policy DM2 Design Quality for New Development of the Island Plan Core Strategy.

4. Prior to any works being undertaken which 'break ground' details shall be 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.

5. No later than one month after the day on which the building(s) hereby permitted (is/are) first occupied/the use hereby permitted commences the existing access to the site from the High Street shall be permanently closed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

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

6. No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority in respect of a Construction Management Plan clearly identifying how the development will be serviced throughout the construction phase without negatively impact on the public highway and the safety of its users. The agreed methods shall be implemented prior to the commencement of development and shall be retained in accordance with the approved details during the construction phase of the development.

**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.

7. No ventilation / extraction equipment / flues shall be installed within the extension to the building hereby approved.

**Reason:** In the interests of the amenities of neighbouring properties and the character of the conservation area. In accordance with policy DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

8. The accommodation rooms hereby permitted shall only be used as holiday accommodation and shall not at any time be used as a main or permanent residence.

**Reason:** To ensure that the holiday accommodation hereby permitted would be used as holiday accommodation and to protect the rural character

and appearance of the area in accordance with the aims of policies SP4 (Tourism) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

9. The applicant, or their successor(s) in title, shall maintain a comprehensive up-to-date register listing all occupiers of the accommodation hereby approved, their main home addresses, and the dates of occupation at the site. The said register shall be made available for inspection by the Local Planning Authority at reasonable notice.

**Reason:** To ensure that the accommodation hereby approved is retained for holiday use in accordance with the aims of policy SP4 (Tourism) of the Island Plan Core Strategy.



**Reference Number:** P/00354/18 – TCP/33425

**Description of application:** Construction of 12 dwellings and garages; formation of new vehicular access; associated roadway and pavement; landscaping.

**Site Address:** land adjacent 255 Gunville Road

**Applicant:** A. Hatcher, M. Hatcher and K. Forman

**This application is recommended for Conditional Permission**

### **REASON FOR COMMITTEE CONSIDERATION**

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

- Potential impacts to Gunville stream;
- Contamination concerns;
- Capacity of local drainage infrastructure to accommodate development and means of disposal for surface water;
- Historic planning refusals.

### **MAIN CONSIDERATIONS**

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

#### **1. Location and Site Characteristics**

- 1.1 The application site is agricultural land approximately 0.7 hectares in area located to the west of Gunville Road, to the south of 255 Gunville Road (an existing bungalow) and to the north of Gunville Stream and bridge and Ash Lane. Directly to the south of the site and stream is a two storey terrace of houses (Nos. 233-241 Gunville Road).
- 1.2 To the south of the site is the built-up residential area of Gunville, to the north, west and east the landscape is rural characterised by sporadic development and fields enclosed by trees and hedgerows.
- 1.3 The application site is rough grassland and scrub enclosed by existing

hedgerows to the north and east and bounded by Gunville Stream to the south and west. The site contains groups of existing trees near its north and western boundaries and within its SE corner near the stream.

- 1.4 Topography of the site falls by about 5m from north to south with a crossfall from east to west. The degree of crossfall varies from about 4.5m at the northern end of the site to a more level, yet localised undulation, at the south end of the site near the stream.
- 1.5 There is an existing field entrance at the SE end of the site currently providing access from Gunville Road. A public sewer runs through the site NW to SE then E near to the field entrance.
- 1.6 A number of existing powerlines cross the site to the west and south.

## **2. Details of Application**

- 2.1 The application seeks full planning permission for the construction of 12 dwellings served via a newly formed access from Gunville Road to the east.
- 2.2 The proposal would see the existing field access within the SE corner of the site closed up and a new centralised access and internal shared surface road formed to service the proposed dwellings. A new 2.0 metre wide pavement would also be provided across the site frontage from the southern edge of the newly formed access to link to the existing footway at Gunville bridge.
- 2.3 The proposed housing would comprise a mix of:
  - 3x detached 4-bed houses
  - 6x semi-detached 3-bed houses
  - 3x terrace 2-bed houses
- 2.4 The terrace housing and two pairs of the semi-detached houses would front Gunville Road either side of the proposed access. The remainder of detached and semi-detached dwellings would front the internal access road laid out to form a small enclosed cul-de-sac.
- 2.5 The proposed houses would be two storeys with the front terrace and semi-detached pair being approximately 8m to roof ridge and 5.5m to eaves in height. The rear semi-detached pair and detached houses would be about 6.8m to roof ridge and 3.7m to eaves.
- 2.6 The submitted plans indicate that the proposed dwellings would have reconstituted slate roofs, rendered walls with a grey brick plinth and

UPVC windows.

- 2.7 The layout affords space for on-site parking on the basis of 1 space per 2-bed dwelling and at least 2 spaces per 3/4 bed dwelling. 2 visitor spaces would also be provided just beyond the southern turning area. The larger 4-bed units would also benefit from detached garages.
- 2.8 The supplied plans show that existing hedgerows and trees would be retained, save for the hedgerow removal required to provide the new access, and new hedge planting would be undertaken to infill the existing field access and reinforce the boundary of the site to the rear of the garden of 255 Gunville Road. Outside of the curtilages of the dwellings, the southern and western areas of the site would be maintained and enhanced to provide a buffer to the stream and the NW corner would be enhanced for the benefit of wildlife.

### **3. Relevant History**

- 3.1. There is no relevant recent planning history for this site. There is an extant outline planning permission for housing development on land to the west off Ash Lane:

P/00395/15: Outline for 50 dwellings (mix of affordable housing, small builder plots and self-build plots): conditional approval 20/12/2016.

In December 2016 the Local Planning Authority granted outline planning permission for a housing development of 50 dwellings to the west of Ash Lane. The land subject of that permission is to the west of the current application site. The plans approved by this outline permission show that this development to the west would continue the suburban estate character of Ash Lane into this neighbouring land with trees and a small copse providing a visual buffer to the north and NE of this planned housing development.

### **4. Development Plan Policy**

National Planning Policy

- 4.1 The NPPF explains that sustainable development has 3 objectives, economic, social and environmental, and that these overarching objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). It adds at paragraph 9 that these objectives should be delivered through the implementation of plans and the application of policies in the NPPF, but they are not criteria against which every decision can or should be judged.

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 an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

#### Local Planning Policy

4.3 The Island Plan Core Strategy (CS) defines the application site as being within the Medina Valley Key Regeneration Area, outside of, but immediately adjacent to its defined settlement boundary. 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
- DM5 Housing for Older People
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM13 Green Infrastructure
- DM14 Flood Risk
- DM17 Sustainable Travel

4.4 Affordable Housing Contributions (SPD) (2017)

4.5 Bird Aware Solent Recreation Mitigation Strategy (2018)

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

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

## **5. Consultee and Third Party Comments**

### Internal Consultees

- 5.1 The Council's Tree Officer has no objections, advising that the only impact would be during construction, which can be controlled by protective fencing set around the trees to be retained. He has recommended conditions to ensure this and that the loss of the hawthorn group G3 would be mitigated as part of the landscaping of the development.
- 5.2 The Council's Ecology Officer has raised no objections but has commented that green corridors and buffer zones would need to be planned along the river's edge and that reptile species should be translocated to a refuge area within the NW corner of the site that can be enhanced and managed in perpetuity for the benefit of wildlife.
- 5.3 The Council's Senior Environmental Health Practitioner has raised no objections but has recommended a condition to ensure that the possibility of contamination at this site is investigated and, if required, the land remediated. He has also advised that the UK does not have restrictions on how close homes can be built to power lines provided statutory safety clearance distances are complied with.
- 5.4 The Council's Archaeological Officer has advised that currently there is not enough information to base an informed decision on the archaeological potential of the site and options for any mitigation that may be required. It is recommended that an archaeological desk-based assessment of the site is carried out to include an assessment of land use during the 19<sup>th</sup> and 20<sup>th</sup> centuries.
- 5.5 The Council's Drainage Engineer has reviewed the submitted flood risk assessment and drainage strategy and has raised no concerns with the conclusions of these reports. He has advised that planning conditions would need to be used to agree the size and flow rate to Gunville Stream, on-site attenuation, including calculations to demonstrate any attenuation would be adequate to control flows, and design of the headwall to the required outfall to this watercourse and protection for the opposite bank.
- 5.6 The Council's Public Rights of Way Manager has raised no objections but has requested a contribution from the development towards the formation of the Gunville Greenway and/or "West Wight" route.
- 5.7 Island Roads on behalf of the Local Highway Authority has raised no objections, but has recommended conditions should the application be

approved. Further comments are outlined within the evaluation of this report.

#### External Consultees

- 5.8 The Environment Agency has no objection to the proposal on flood risk grounds.
- 5.9 Southern Water has advised that it can provide foul sewerage disposal to service the proposed development and that connection to its sewer would require its consent. It has also commented that the Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposal to discharge surface water to the local watercourse. It has been recommended that conditions are used to secure adequate provision for means of disposal for surface and foul water sewerage to service the development and to protect existing public sewers during the course of the development.

#### Parish/Town Council Comments

- 5.10 Newport and Carisbrooke Parish Council has no objection provided the following concerns have been addressed:
- surface water drainage, in terms of flood risk and pollution risks to Gunville stream;
  - adequacy of local sewerage system;
  - provision of adequate on-site parking for residents and visitors.

The Parish Council also expects to see conditions imposed to ensure use of quality materials, landscaping/planting and suitable boundary treatments. It also seeks clarification on how the issue of affordable housing provision would be addressed.

#### Third Party Representations

- 5.11 The Isle of Wight Badger Trust has commented that the site is an important foraging area for the local badger population and the development would increase pressure on this population. It has advised that the development must be designed so that wildlife can travel through it.
- 5.12 Newport Rivers Group has commented that the following should be taken into account in the determination of the application and any planning conditions:
- provision of as wider buffer as possible between Gunville Stream

- and housing development proposed;
- design and landscaping of development proposed should have regard to recommendations to improve habitat of the Stream and its banks, in particular for Water Voles;
- river corridor should be kept separate from the proposed residential properties and a long-term management plan put in place.

5.13 20 comments have been received from local residents who object, raising concerns which can be summarised as follows:

- land outside, not adjacent, settlement boundary;
- no need for housing;
- site should be considered brownfield, not greenfield;
- potential contamination risks;
- overdevelopment;
- impact on character and beauty of the countryside;
- previous planning applications for residential development on this land/adjacent land refused;
- adequacy of submitted ecology report and potential impacts on wildlife and protected species;
- impact on Gunville Stream in terms of capacity and pollution;
- flood risk and drainage/sewer capacity;
- traffic generation and access - effect on highway safety and congestion concerns;
- impact on archaeology;
- impact on neighbouring properties in terms of visual amenities and loss of privacy, outlook and light;
- overhead powerlines - health concerns;
- site notice(s) not properly displayed;
- should be determined by the Council's planning committee, not planning officers;
- devalue neighbouring properties;
- May conflict with existing covenants.

## 6. **Evaluation**

### Principle of development

6.1 Policy SP1 of the CS states that the Council will, in principle, support development on appropriate land within or immediately adjacent the defined settlement boundary of the Medina Valley Key Regeneration Area (KRA). In addition policy SP2 of the CS sets a target for the delivery of 8,320 dwellings for the Isle of Wight during the period 2011 to 2027, with 1,350 of these dwellings to be delivered within the Medina

Valley KRA.

- 6.2 The application site is non-previously developed (greenfield) land located within the KRA, immediately adjacent to its defined settlement boundary. Given the location of the site it is considered that the proposal would be compliant with the aims of policies SP1 and SP2 of the CS, which seek to focus new housing on land within or immediately adjacent to the defined settlements of the Island's Key Regeneration Areas. Therefore it can be supported, in principle, in accordance with the spatial and housing delivery aims of these policies of the CS.

Impact on the character and appearance of the area

- 6.3 The application site currently forms part of the wider agricultural landscape that extends to the north and west of the built-up area of Gunville. The site itself is agricultural grassland enclosed by trees and hedgerows and Gunville stream to the south and west. To the south is the built-up urban environment of Gunville, characterised by residential ribbon and estate development of mixed traditional design and appearance. Development to the north, east and west of the site is more sporadic, reflecting the character of the surrounding rural landscape.
- 6.4 The current proposal is to develop a small field to provide a cul-de-sac of 12 dwellings, which would be accessed directly off Gunville Road via a newly centralised access that would be formed through the existing eastern roadside hedgerow and verge. The submitted plans show that, save for the creation of this access, the existing roadside hedgerow would be maintained with the existing field entrance closed up. The existing hedgerow to the north with No. 255 and existing trees and vegetation along the stream forming the western boundary of the site would also be retained. There would be some tree loss internal to the site, but this would be mitigated for by new tree planting with the development.
- 6.5 The layout proposed would see a terrace and two pairs of semi-detached two storey houses positioned either side of the new access fronting Gunville Road, set back approximately 14m-16m from the existing roadside hedge. Behind this proposed row of houses would be a group of two storey houses, 3 detached and a semi-detached pair, all of a chalet-style. This rear group would be arranged around the cul-de-sac access road.
- 6.6 The front row of houses would be just under 8m in height, with the rear houses just under 7m in height. The rear houses would be located on depressed ground in relation to the front row, which would reduce the visual impact of these dwellings behind the front group. The scale, form



and appearance of these proposed houses would be sympathetic to and compliment the scale and appearance of existing housing in the built-up area of Gunville as would the proposed exterior materials, which can be controlled by a planning condition.

- 6.7 Whilst the proposal would form a compact group of dwellings north of the stream, these would be seen in relation to existing housing to the south, north and east of the site off Gunville Road with the layout of the proposed housing and cul-de-sac arrangement being reflective and complimentary of the established pattern of housing development to the south. Furthermore, the proposed housing would be no more visually prominent in the wider landscape than existing housing to the north, south and east or the housing approved in 2016 for land to the west.
- 6.8 Retention of existing boundary vegetation, hedgerows and trees as well as additional planting within the site as part of the development would soften the visual impact of the proposed housing, ensure an attractive setting for the cul-de-sac and its assimilation into its surroundings, with the existing wooded stream corridor and small copse to the west providing a buffer between this proposed development and that planned for the land to the west. In addition, due the position of the dwellings and indicated extent of the curtilages, a green buffer would be provided between the gardens of these houses and the stream corridor. This can be ensured through planning conditions which can control the provision of appropriate boundary treatments as well as new planting at the edge of this watercourse to enhance its ecological value and setting.
- 6.9 Given the above, it is considered that whilst the proposal would change the greenfield character of this land, it would integrate with and compliment the character of the surrounding area in accordance with the aims of policy DM2 of the CS.

Impact on trees and ecology.

- 6.10 The proposed development would avoid impacts to existing trees along the west and north boundaries of the site with the exception of the required removal of a small group of Hawthorn scrub (G3 on the submitted Tree Survey Plan) to facilitate the proposed development layout. This is a small group of poor quality trees with limited wider amenity value. As such, and the proposed mitigation landscaping there is no objection to the loss of trees.
- 6.11 The application is also supported by ecological assessments, which outline that the development would result in loss of habitat (rough grassland and scrub) suitable for reptiles and that there is evidence of use of the site by mammals/badgers. The site does provide connectivity

to surrounding habitats, particularly to the north and west via the stream corridor, but the development would not directly impact upon the water course or the adjacent riparian habitat. However, there would be a need to protect the stream from run-off and other pollutants during the development.

- 6.12 The proposal also provides the opportunity to enhance the wetland habitat and other habitats in the site, including boundary connectivity, and it is also proposed to enhance the NW corner of the site for reptiles and other species. The submitted ecological assessments set out a range of recommendations to ensure impacts to wildlife (including protected species) and the stream would be avoided and protected during development, that loss of suitable habitat for reptiles would be mitigated for and that opportunities would be taken to enhance the ecological value of this site for wildlife.
- 6.13 The Council's Ecology Officer has commented that the NW corner of the site would need to be enhanced for reptiles and that this area should be excluded from the domestic gardens and managed for wildlife. Due to the spread of reptiles across the site it would also be necessary to translocate reptile species to this refuge area. The provision of a wildlife corridor along the river edge would also enhance the site for biodiversity. Officers consider that this can be managed by appropriate conditions to ensure that the proposed development would protect and enhance the ecological and biodiversity value of this site in accordance with the aims of policies DM2 and DM12 of the CS.

#### Flood risk and drainage

- 6.14 The majority of the eastern and northern areas of this site are located within Flood Zone 1, but the southern and western areas of the site are within Flood Zones 2 and 3. The proposed development has been designed to take account of the risk, with the building being proposed within Flood Zone 1, the area at lowest probability of flooding, and the landscaped buffer zones and parts of the rear gardens of the larger detached houses being within the area of higher risk (zones 2 and 3). It is therefore considered that the sequential approach to the location of development has been followed in this application and it is noted that the Environment Agency has raised no objections in terms of flood risk.
- 6.15 In terms of drainage, the submitted strategy explains that due to underlying geology it may not be possible to dispose of surface water via infiltration and therefore it is proposed to discharge surface water from the development to Gunville stream with the incorporation of attenuation storage and flow control to ensure that the pre-development flow rate to this watercourse would not be exceeded. In relation to foul

drainage it is proposed to connect the development to the existing public sewer system. Southern Water has confirmed that it can provide foul drainage to service this development. Precise details of the drainage scheme for this development can be controlled by a planning condition.

- 6.16 An existing public sewer runs through this site and submitted plans demonstrate that the layout of the proposed development has had regard to this existing constraint affording a 6m easement around this existing infrastructure. A planning condition can be used to ensure that this sewer is protected during development.
- 6.17 Having due regard to the comments received from the Environment Agency, Southern Water and the Council's Drainage Engineer, it is considered that a drainage scheme could be designed to adequately accommodate surface water and foul flows from this development to ensure that the proposed housing would be at low risk of flooding and that there would be no increased flood risk to the site or surrounding land in accordance with the aims of policy DM14 of the CS.

#### Impact on neighbouring properties

- 6.18 255 Gunville Road is an existing bungalow that is primarily orientated east-west. Although the application site area does wrap around the rear (western) boundary of the garden of this property, its primary aspects are away from the proposed developed area of the site to the south of this neighbouring bungalow. The shared boundaries of this neighbouring property with the application site are defined by hedgerow and fencing and tree group G4 which is located on/near the northern boundary of this site with No. 255.
- 6.19 The front houses would be located 2m away from the north boundary with No. 255 and spaced approximately 11m from its south side wall. The rear units 11 and 12 would be about 9-10m away from the north boundary. The submitted plans show that unit 1 at the front of the site would not have any side windows within its north wall and that there would only be ground floor windows and high level roof lights within the rear walls and roof slopes of units 11 and 12. Unit 10 at the western end of the site would have dormer windows orientated NW, which would direct views away from the rear of this neighbouring property. Taking into account the position and design of the proposed houses, the separation distances and orientation of 255, it is considered that this proposed housing development would not have a harmful impact on the light to or outlook from this neighbouring property or to the privacy of its residents.

- 6.20 The proposed housing would be between 24-30m away from the southern boundary of the site with the Gunville stream. Given these distances, it is considered that there would be no harm to neighbouring residential properties in Ash Lane to the south. Furthermore, given the set back of the proposed houses from the Gunville Road boundary (14-15m approx.) there would be no adverse impacts on existing residential property opposite the site to the east in Gunville Road.
- 6.21 Given the above, it is considered that the proposal would maintain neighbouring amenity in accordance with the aims of policy DM2 of the CS and the NPPF.

#### Highways considerations

- 6.22 The proposal would see the existing field entrance at the SE corner of the site closed up and a new access formed through the existing roadside hedgerow and verge at the eastern end of the site adjacent Gunville Road. This new access would lead to a shared surface road 5.5m wide that would service the proposed dwellings. Provision would be made for on-site turning to accommodate private and service vehicles. Pedestrian connectivity of the site to the existing built-up area would also be improved with the proposal incorporating a new 2.0m wide footway link to the existing settlement to the south.
- 6.23 Island Roads has evaluated the proposed access, turning and parking arrangements and has confirmed that the layout would comply with design standards. In addition, it has been confirmed that the new access would benefit from the required level of visibility which could be provided on land within the control of the applicant and on the public highway. Island Roads has therefore raised no concerns from a design or highway safety perspective or in terms of traffic generation. Conditions have been recommended to control the detailed design of the new footway link, on-site access road, junction and parking/turning areas, provision of access sight lines and on-site parking, and ensure the provision of wheel cleaning facilities during development to prevent mud being deposited from the site onto the public highway.
- 6.24 In terms of on-site parking, the level proposed on the submitted plans would meet the requirements of the Council's Parking Guidelines (1 space for the 2-bed units and 2 spaces for the 3/4 bed units). 2 visitor spaces are also proposed at the end of the southern turning area. The detached units would also benefit from garages. As mentioned above, this level of provision would be secured by a planning condition.
- 6.25 Taking into consideration the comments received from Island Roads, it is considered that the proposal would not have a negative impact on the

highway network and would comply with the Council's Parking Guidelines in accordance with the aims of policies SP7 and DM17 of the CS.

#### Other matters

- 6.26 The Council's Environmental Health Practitioner has advised that there appears to be evidence that the site may have been used for the deposition of ash from a former brickworks and that there may have been a former gun battery, searchlight and munitions storage site as well as refuse tip nearby. Given the possibility for some contamination at this site, he has recommended a condition should permission be granted to ensure due regard is had to this possibility of contamination being found at this site and that if required it would be remediated. This condition would be a pre-commencement condition to ensure contamination risks are addressed prior to the development taking place.
- 6.27 Concerns have been raised by local residents that the development may impact on local archaeology. The Council's Archaeological Officer has advised that there is not currently enough information on which to base an informed decision as to the archaeological potential of this site or any potential mitigation measures that may be required. Given the concerns raised and the comments of the Archaeological Officer, it is recommended a Grampian-style condition is imposed requiring further investigation of the archaeological potential of the land before any development begins. Such a condition would also require any necessary avoidance or mitigation measures to be agreed with the LPA prior to commencement of the development. This precautionary approach is considered necessary to ensure potential impacts to archaeology are fully understood and (if necessary) measures to avoid or mitigated for impacts are agreed with the LPA before development takes place. The Council's Archaeological Officer is in agreement with this approach.
- 6.28 In terms of proximity to the existing powerlines crossing the site, the LPA has consulted with SSE but no response has been received in relation to this consultation request. Notwithstanding this, the applicant/developer would need to ensure that the development would comply with statutory safety clearance distances and an informative has been recommended to ensure that the applicant/developer liaises with the operator of these powerlines to ensure this. In addition, although concerns have been raised in relation to health concerns, the Council's Environmental Health Practitioner has advised that the UK does not have restrictions on how close homes can be built to powerlines and that neither the UK Government or the Health Protection Agency have recommended any special precautions for the development of homes

near powerlines on EMF grounds. Therefore, it is considered that this issue can be adequately regulated by existing industry legislation and requirements and such controls do not need to be replicated through the planning process.

6.29 Devaluation of property and conflict with any existing covenants are not material planning considerations and cannot influence decision-making on this planning application.

6.30 Reference has been made by local residents to historic planning applications for this site and adjacent land to the west. These applications were determined in accordance with a different planning policy framework and as such decisions made in relation to these previous applications cannot be afforded any weight in the determination of the current planning application, which must be determined on its own merits in accordance with current planning policy.

6.31 In terms of the concerns raised in relation to the display of site notices, notices were erected near the northern and southern ends of the site in Gunville Road. The application was also publicised in the County Press and on the Council's website. This meets and exceeds the Council's statutory duty to publicise this application. It is noted that comments have been received by local residents, including residents of both Ash Lane and Gunville Road.

6.32 Heads of Terms

The following Heads of Terms have been agreed with the applicant:

- A contribution towards the off-site provision of affordable housing in accordance with the Council's SPD.
- A contribution towards the Bird Aware Solent Recreation Mitigation Strategy in line with the requirements of that strategy.
- £10,000 towards sustainable transport improvements in the locality.
- Provision for the agreement of a landscaping and enhancement scheme for the areas of the site falling outside of the curtilages of the dwellings and future management arrangements for these areas of the site.

## **7. Conclusion**

7.1 For the above reasons, it is considered that the proposal would comply with planning policy in terms of the location of new housing, it would integrate with and compliment the character of the surrounding area, have regard to existing constraints, including existing trees, ecology,

neighbouring properties and flood risk, would take the opportunities available to enhance the amenity, ecological and biodiversity value of the site, and would not have a negative impact on the highway network.

- 7.2 Contributions towards the Solent Recreation Mitigation Strategy, rights of way, off-site affordable housing provision can be secured by planning obligation before permission is granted. Such an obligation can also include provision for the future management of the areas adjacent the stream and within the NW corner of the site to ensure these areas would be managed in perpetuity for the benefit of wildlife.

## **8. Recommendation**

- 8.1 Conditional Permission, subject to a Section 106 Agreement the terms of which are set out in paragraph 6.40.

## **9. Statement of Proactive Working**

- 9.1 In accordance with paragraph 38 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following way:

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

In this instance:

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

## **Conditions**

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

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

- 2 Except for the details approved by conditions 3 to 12 (inclusive), the development hereby permitted shall only be carried out in complete accordance with the recommendations within the submitted Ecological Reports and details shown on the submitted plans, numbered:

1708 PA 003 Rev C Proposed Site Layout  
1703 PA 004 Rev C Ground Floor Layout Plan  
1708 PA 005 Rev C Landscape Plan  
1708 PA 006 Rev D Boundary Treatment Plan  
1708 PA 010 House Type A1 General Arrangement & Elevations  
1708 PA 011 House Type A2 General Arrangement & Elevations  
1708 PA 012 Rev A House Type B General Arrangement & Elevations  
1708 PA 013 Rev B House Type B semi detached General Arrangement & Elevations  
1708 PA 020 Street Elevations and Sections  
I/AW/FG/2 Vehicle Track Plots  
I/AW/FG/3 Flood Extents & Indicative Drainage

**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 Development shall not begin until an assessment of the archaeological potential of the site and the potential impact of the development on archaeology has been submitted to and approved in writing by the Local Planning Authority. The submitted assessment shall include details of the land use(s) of the site during the 19th and 20th centuries and, if necessary, measures to avoid or mitigate for any impacts of the development on features of archaeological interest. Development shall be carried out in accordance with the approved details and any agreed avoidance and/or mitigation measures.

**Reason:** To ensure any features of archaeological interest that may be present are protected or preserved for posterity in accordance with the aims of policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 4 No part of the development hereby permitted shall commence until there has been submitted to and approved in writing by the Local Planning Authority items a) and b) below. As required by the LPA, items c) and d) shall also be undertaken.



a) a desk-top study documenting all previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated

Land Research report no 11 and BS10175:2011+A1:2013; and, unless otherwise agreed in writing by the Local Planning Authority,

b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk-top

study in accordance with BS10175:2011+A1:2013 – “Investigation of Potentially Contaminated Sites – Code of Practice”; and, unless otherwise agreed in writing by the Local Planning Authority,

c) a remediation scheme to deal with any contaminant including an implementation timetable, monitoring proposals and a remediation verification methodology. The verification methodology shall include a sampling and analysis programme to confirm the adequacy of decontamination and an appropriately qualified person shall oversee the implementation of all remediation.

d) The investigator 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 postremediation sampling and monitoring in order to demonstrate that the required remediation has been carried out.

The construction of buildings, including any associated groundwork, shall not commence until such time as is approved by the Local Planning Authority.

**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 and the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 5 No development, including site clearance and preparation, shall begin until existing trees shown to be retained on drawing AS/AF/0218 TCP have been protected in accordance with details of tree protection measures that have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with the BS5837:2012 standard and include a plan showing the location of existing trees to be retained and the positions of any protective fencing. The agreed measures shall be adhered to for the duration of the development.

**Reason:** This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure existing trees to be retained would be adequately protected throughout the development in the interests of the amenities of the area and to comply with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 6 No development shall begin until details of the means of the disposal of surface water and foul drainage to service the development have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall have regard to the aims and requirements of policy DM14 (Flood Risk) of the Island Plan Core Strategy, the letter from Southern Water (reference PLAN-022750, dated 16/05/2018) and the submitted Flood Risk and Drainage Strategy, dated March 2018, and shall include:

1. Details of any attenuation;
2. Details of the headwall for the outfall, which should include protection of the opposite bank;
3. Calculations to demonstrate that the flow rate of the outfall to the Gunville Stream would be no greater than the pre-development flow rate from the site.

Development shall be carried out in accordance with the approved details and the approved drainage works shall be completed before any of the dwellings are occupied.

**Reason:** This is a pre-commencement condition to ensure that adequate provision would be made for the disposal of surface water 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.

- 7 No development shall begin until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include:

1. Measures to protect the Gunville stream throughout the development (including pollution prevention control measures);
2. Measures to avoid impacts to protected species, in particular reptiles, and the methodology to be used to translocate any protected species (reptiles) from the development area to a safe area within the site;
3. Measures to protect existing utilities during development (including the existing public foul sewer and powerlines); and
4. Details of the steps to be taken to prevent material being deposited onto

the public highway as a result of on-site operations associated with the development.

In relation to (4), the submitted details shall include provision for the installation and use of wheel cleaning facilities for vehicles associated with the development.

Development shall be carried out in accordance with the approved details and the agreed measures shall be adhered to for the duration of the development. Any material deposited on the highway as a result of vehicles leaving the site shall be removed as soon as reasonably practicable by the site operator.

**Reason:** To ensure the existing watercourse, utilities and highway would be protected during development in accordance with the aims of policies SP7 (Travel), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM21 (Utility Infrastructure Requirements) of the Island Plan Core Strategy.

- 8 No works to construct the dwellings and garages above foundation level shall begin until details of the size, height, design and appearance of the garages and the materials and finishes (including colour) to be used in the construction of the external surfaces of the dwellings and garages 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.

- 9 Construction of the access, access road and footways shall not begin until details of the design, construction and surfacing of this access, road and footway, construction details of the junction of the access road with the public highway (Gunville Road), and details of the means of surface water disposal from these surfaces have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access to it from the public highway and the footway link shown on drawing 1708 PA 003 Rev C has been provided in accordance with the approved details.

**Reason:** In the interests of highway safety, to promote sustainable travel and to ensure that the local risk of flooding is reduced in accordance with the aims of policies DM2 (Design Quality for New Development), DM14 (Flood Risk) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 10 The access hereby permitted shall not be brought into use until sightlines for that access have been provided in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be based on the principles of drawing no. 1708 PA 003 Rev C. Nothing that may cause an obstruction to visibility shall at any time be placed or be permitted to remain within the visibility splays shown in the approved sight lines.

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

- 11 No dwelling hereby permitted shall be occupied until the parking space(s) for that dwelling, the access road to that space from the public highway, the on-site turning areas to enable vehicles to enter and leave the site in forward gear, and the 2 visitor parking spaces at the southern end of the turning area have been provided in accordance with the approved plans and details approved in accordance with condition 6. Thereafter, the provided parking space(s) shall only be used for the parking of vehicles belonging to occupiers of the dwellings and their visitors and for no other purpose.

**Reason:** To ensure adequate on-site parking would be provided to service the development and in the interests of highway safety and to comply with the aims of policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 12 Notwithstanding the submitted plans, no part of the dwellings hereby approved shall be constructed above foundation level until a landscaping scheme for the site, details of ecological mitigation/enhancements to be incorporated into the development and a timetable for the carrying out and completion of these works have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall provide for the recommendations within the submitted Ecological Reports (ref: AS/AF/0218 and AS/AF/0518) and include proposed finished levels or contours; means of enclosure and boundary treatments; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. refuse or other storage units); existing trees and planting to be retained; and new planting (including position, size, species, number/density of plants). The scheme shall make provision for new tree planting to mitigate for the loss of group G3 shown on submitted drawing AS/AF/0218 TCP. The approved landscaping scheme and ecological mitigation/enhancement works shall be completed in accordance with the approved details and at the agreed times.

**Reason:** To ensure the appearance of the development is satisfactory, to mitigate for tree and habitat loss required to facilitate the development and to ensure that the opportunities available for enhancement of ecology and biodiversity would be taken in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 13 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the timetable agreed in accordance with condition 12 and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason:** To ensure the appearance of the development is satisfactory and that ecology and biodiversity is preserved and enhanced in accordance with the aims of policy DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 14 The dwellings hereby permitted shall not be occupied until a landscape management plan for the areas of the site falling outside of the curtilages of the dwellings, as shown on drawing 1708 PA 004 Rev C, has been submitted to and approved in writing by the Local Planning Authority. This plan shall include details of how these areas would be managed and maintained in perpetuity following occupation of any of the dwellings or completion of the development, whichever is the sooner. Thereafter, the landscaped areas of the site shall be managed and maintained in accordance with the agreed management plan.

**Reason:** To ensure an attractive appearance for the development, to protect the amenities of neighbouring residents, future occupiers of the development and the surrounding area, and to protect the ecological and biodiversity interests of the site and surrounding area in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 15 The new access hereby permitted shall not be brought into use until the existing access has been closed in accordance with the approved landscaping scheme (condition 12).

**Reason:** In the interests of highway safety and to comply with the aims of policy SP7 (Travel) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 16 The roof windows to be installed within the rear roof slopes of Plots 11 and 12 shall be: (1) obscure-glazed; and (2) non-opening, unless the parts of the window that can be opened are more than 1.7m above the floor level of the room in which the window is installed. These windows shall be installed and thereafter maintained in accordance with the requirements of this condition.

**Reason:** To protect the privacy and amenities of neighbouring property occupiers in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 17 No external lighting shall be installed within the site except that for which details have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the position, orientation, size, design and appearance (including colour) of any lighting units and details of the lighting level and colour as well as any measures to minimise light spillage.

**Reason:** To protect the visual amenities and character of the area and the ecological value of the site in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no building, fence, wall or other means of enclosure (other than that expressly authorised by this permission) shall be carried out forward of the front walls of the dwellings and no building or hard surface shall be provided at all within the curtilages of Plots 8, 9 and 10.

**Reason:** To protect the visual amenities and character of the area and to ensure future development within the curtilages of Plots 8, 9 and 10 would have regard to flood constraints and would not increase flood risk in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), no upper floor windows shall be installed within the side walls of the dwellings hereby approved or the rear roof slopes of the dwellings on Plots 11 and 12 (other than those expressly authorised by this permission), unless the window is:

(1) obscure-glazed; and (2) non-opening, unless the parts of the window that can be opened are more than 1.7 metres above the level of the floor in which the window is installed.

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

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), no enlargement to the roofs of the dwellings on Plots 11 and 12 shall be made.

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

#### **Informative**

- 1 The applicant/developer is advised to liaise with the operator of the existing powerlines crossing this land to ensure that the constraints of this utility infrastructure are fully taking into account by the development and that any required statutory clearance distances would be adhered to.