

## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 15 OCTOBER 2019

### REPORT OF THE STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE

#### 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 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 - 15/10/2019

1	<a href="#">P/00496/18</a> TCP/33468	<b>Nettlestone and Seaview</b>	<b>Conditional permission</b>
	land between Nettlestone Hill and, Seaview Lane, Seaview, Isle Of Wight,		
	Demolition of workshops; outline for proposed residential development (to include sheltered accommodation, with ancillaries); formation of vehicular access; parking, open spaces and associated infrastructure (revised description)(readvertised application)		
2	<a href="#">P/00741/18</a> TCP/29905/F	<b>Wootton Bridge</b>	<b>Conditional permission</b>
	Palmers Farm, Brocks Copse Road, Wootton Bridge, Ryde, Isle Of Wight, PO334NP		
	Outline for residential development of up to 40 dwellings with means of access and associated infrastructure(Re-advertised application -revised plans showing removal of Brocks Copse Road vehicle access, alternative right of way to align Brocks Copse Road and revised red line boundary).		
3	<a href="#">P/01361/18</a> TCP/31540/B	<b>Newport and Carisbrooke</b>	<b>Conditional permission</b>
	Newport Football Club, St. Georges Park, St. Georges Way, Newport, Isle Of Wight, PO302QH		
	Demolition of existing buildings and structures; proposed retail park of up to 9507 m2 GEA (9167 m2 GIA) to include A1 and D2 uses, and drive-through restaurant (A3/A5 uses); associated car parking (289 spaces), service areas, new vehicular and pedestrian access, landscaping, and associated development.		

**Reference Number:** P/00496/18

**Description of application:** Demolition of workshops; outline for proposed residential development (to include sheltered accommodation, with ancillaries); formation of vehicular access; parking, open spaces and associated infrastructure (revised description) (re-advertised application)

**Site Address:** land between Nettlestone Hill and, Seaview Lane, Seaview, Isle of Wight

**Applicant:** SGJ Bloomridge and Westridge (IOW) Ltd

**This application is recommended for conditional permission**

### **REASON FOR COMMITTEE CONSIDERATION**

The application raised a balance of policy issues.

### **MAIN CONSIDERATIONS**

- Principle
- Impact on the character of the area
- Impact on neighbouring properties
- Impact on listed buildings
- Trees and Ecology
- Highway considerations
- Other matters

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

- 1.1. The application site occupies a rectangular parcel of land of approximately 1.26 hectares located between Nettlestone Hill and Seaview Lane. It is currently a field with a group of disused buildings in the north-east corner.
- 1.2. The disused buildings occupy an area of 0.10 hectares and would be classified as previously developed land (brownfield), with the remainder of the site being non-previously developed (greenfield).
- 1.3. The site slopes from east to west with the western boundary of the site being elevated approximately 1.7 metres above the road level of Nettlestone Hill.

- 1.4 The northern boundary of the site is comprised of a variety of fencing and natural growth, with the Grade II listed building Fairy Hill located approximately 40 metres from this shared boundary.
- 1.5 The eastern boundary is delineated by Seaview Lane and a dense hedge divides the site from the road. There are properties on the opposite side of Seaview Lane, which run in a linear layout with Holgate Lane and the cul-de-sac of Rowan Tree Drive running easterly off Seaview Lane.
- 1.6 The southern boundary of the site runs through the existing field and is therefore currently open. The western boundary as originally submitted is delineated by Nettlestone Hill and is formed of a stone retaining wall, topped by a dense hedge. The proposed scheme has subsequently been amended to pull this boundary approximately 70 metres from Nettlestone Hill. This boundary line is therefore indicative as it is currently an open field.
- 1.7 There are a number of properties on the opposite side of Nettlestone Hill, including the Grade II listed building The Old Manor and a group of cottages referred to locally as the 'school cottages', which although not listed have historic merit.

## **2. Details of Application**

- 2.1 The application seeks consent for the demolition of the existing workshops and outline for residential development, including sheltered housing and parking. The only matter to be considered at this time is access. Matters of appearance, landscaping, layout and scale are reserved for later consideration.
- 2.2 The application does not propose a number of units, but the revised indicative layout masterplan shows a total of 17 units, including 6 sheltered flats.
- 2.3 The indicative layout and proposed developed area have been amended since the application was originally submitted, with the western boundary being relocated in an easterly direction by approximately 70 metres. Taking the development further from The Old Manor and 'school cottages'.
- 2.4 The application also includes for an area of approximately 19 car parking space, for use by the local school, a new pavement along the application boundary with Seaview Lane and the re-location of an existing bus stop.

### **3. Relevant History**

- 3.1. Officers do not consider there to be any history directly relevant to the application. However, objectors have referenced the following applications:

TCP/5152/V: Outline for residential development, community centre and road diversion was refused in May 1989 and dismissed at appeal October 1990.

TCP/5152/W: Outline for community centre and residential development was refused in February 1990.

### **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 defines the application site as being within the Wider Rural Area. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP2 Housing
- SP3 Economy
- 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
- DM22 Developer Contributions

#### 4.4 Nettlestone and Seaview Parish Plan (2017)

The Parish Plan outlines that the “vision is that in 10 years’ time there will be a community that has: a better mix of housing stock that meets the needs of both an increasing older age profile and a diminishing younger age profile”. This vision is drawn out of the results of the housing needs assessment for the parish, which included parishioners’ priorities, of which 57% of respondents outline that “the development of a local care/residential facility for the elderly” was very important.

4.5 The Parish Design Statement within the Parish Plan also states that “residents appreciate that for the Parish to develop as a vibrant area with social and economic growth there must be some small-scale development of truly affordable homes for families”.

#### 4.6 Affordable Housing Contributions (SPD) (2017)

#### 4.7 Bird Aware Solent Recreation Mitigation Strategy (2018)

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

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

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

#### Internal Consultees

5.1 The Council’s Ecology Officer has raised no objection to the application,

following the submission of further information in respect of badgers.

- 5.2 Public Rights of Way have raised no objection but request that a contribution is taken towards sustainable transport.
- 5.3 The Council's Tree Officer has raised no objection to the application but requests a condition be attached to any permission requiring the submission of a method statement, to ensure that the trees on site are protected through the course of the development.

#### External Consultees

- 5.4 Island Roads requested additional information during the course of the determination process and now raised no objection, subject to conditions including the requirement of a Traffic Regulation Order for double yellow lines on a section of Seaview Lane.

#### Parish/Town Council Comments

- 5.5 Nettlestone Parish Council have objected to the application on the following grounds:
- Overdevelopment of a greenfield site
  - Conflicts with policies SP1, SP2, DM2, DM3, DM5 and DM12 of the Core Strategy
  - Field is part of the rural landscape of the Nettlestone settlement boundary and should remain as such
  - Parish would be able to deliver alternative brownfield sites for any proposed need.
  - Appeal dismissed in 1990.

#### Third Party Representations

- 5.6 68 individual letters of objection were received during the original construction period. A further 75 letters were received following the amendments and re-consultation. 215 pro-forma letters have also been received. The content of all of these letters can be summarised as follows:
- Council have a five-year land supply
  - Seaview does not have a settlement boundary. The scheme is therefore contrary to SP1.
  - Question whether the site is previously developed land (PDL)
  - Is required to meet a need. There is no need.
  - Must enhance the character of the area as it is not PDL
  - Contrary to SP2 as major
  - Would have an urbanising impact contrary to DM12

- As an outline application insufficient detail has been submitted to assess the impact
- Topography of the site increases the visual impact
- Site significantly contributes to the rural feel of the locality
- Previous application refused for the site
- Removal of footway would further urbanise the impact
- Contrary to DM3 and DM5
- On road parking causes an obstruction to two-way movement when leaving the site
- Buildings on site were agriculture not workshops
- Dangerous road to access onto
- Traffic generation
- Eroding land between Nettlestone and Seaview
- Historic land which should be preserved
- Land is habitat
- Impact on listed buildings
- No requirement for more care facilities
- No phasing plan
- Timing of the traffic analysis (February) is inappropriate
- Would significantly adversely change the scale, size, design and character of the settlement
- No swept path analysis of proposed access road
- No indication that GP is viable, or discussions have taken place with the NHS
- Impact on wildlife
- Unsuitable location for care home as on a hill
- Too large a development for a small village
- Loss of green field, flora, fauna and wildlife as well as a rain soakage area.
- Would overshadow the small village
- Medical infrastructure cannot cope
- Flooding
- Dangerous crossing point
- Would dominate the skyline
- Communal open space is unnecessary
- Island needs employment not housing
- Overwhelm local amenities
- Light pollution
- Overlooking of school cottages
- Busier roads would become a greater danger to horse riders
- Local area would be impacted by light, noise, traffic and loss of privacy



- Would be visually intrusive and incongruous development that would have a serious adverse impact on the character of the surrounding area, contrary to DM12
- There are less obstructive brownfield sites in the area should a need arise
- Field gives identity to the original part of Nettlestone
- Scheme for the site was refused in 1990 and dismissed at appeal due to serious harm on rural character and coalescence.
- Brownfield sites of Harcourt Sands and the Flamingo Park should be delivered first
- Detrimental visual impact on the village and street scene
- School parking is not a problem when the school day is over and at weekends and school holidays.
- Application form should be amended to reflect the revised number of units.
- Congestion
- School could not cope with the increase in pupils
- Impact on tourism
- Loss of view [Officer note: This is not a material planning consideration]

5.7 19 letters of support have been received making comments that can be summarised as follows:

- Anything that improves the situation with regards to the safety of school children being dropped off and picked up must be welcomed.
- Good new amenities and affordable housing for Island residents
- Well throughout plan
- Will hopefully enable local businesses to benefit from extra residents
- An addition to the care and sheltered accommodation resources deserves support
- Goes some way towards making our village sustainable
- Provides much needed facilities
- Parking in this locality is badly needed and for Nettlestone school in particular and will ease congestion in surrounding roads
- Has been developed and refined over a long period of time to take account of local needs and views
- Would help alleviate some obvious risks faced by all pedestrians and roads users on Nettlestone Hill.

5.8 The Ramblers have objected to the application on that grounds that the existing field is significant in enhancing the rural character of the area. It would further add to what is beginning to be a ribbon of development

from Ryde through to St. Helens. Priority should be given to building only on identifiable brownfield sites to meet a clearly recognised local need.

- 5.9 Badger Trust objects to the application due to the detrimental impact it would have on the main active sett on site. Work around the removal or renovation of the collapsing barn would mean that the sett would need to be relocated and an artificial sett built. They consider that it is difficult to find an area on the site where the badgers could be relocated safely and successfully without any risk.
- 5.10 Cycle Wight have noted that there appears to be no provision for cycle parking for residents or staff. There should be some ability to charge electric bikes. They consider the offer of car parking for another body, not linked to the development, could set a precedent, that would not support the Council's own policy of supporting sustainable transport.
- 5.11 Chair of Governors for the Federation of Nettlestone and Newchurch Primary School has commented that they are happy that the development proposals will help assist traffic problems at school drop off and pick up. The proposed staff car park is specifically welcomed, as are the improved access and waiting arrangements around The Green.
- 5.12 CPRE Isle of Wight objections to the application on grounds that can be summarised as follows:
- Site contributes to the rural feel of the local region.
  - 'College Cottages' would be overlooked.
  - Development would contribute to coalescence of urban areas.
  - The top south eastern corner features some barns that cover less than 3%, would therefore question the brownfield claim.
  - As the application is only outline the lack of detail is unacceptable for an application of this scale and location and makes it impossible for residents to access its impact.
  - The traffic assessment is not fit for purpose having been developed during the quietest month of the year for tourism (February).
  - Claimed local support does not appear to be strong.
- 5.13 Nettlestone Village Residents' Association have objected to the application on grounds that can be summarised as follows:
- Contravention of policy DM12
  - The provision of sheltered housing is out dated, with the modern method of caring for the elderly in their own home. No need for this nature of accommodation

- Housing survey used to justify the development is no specific on Nettlestone’s actual need. Harcourt Sands and the Flamingo Park should be developed first if there is a genuine need.
- Increased traffic movements
- Traffic assessment was produced in February, before the high tourist season.
- Site is not included in the current core strategy
- Application was dismissed at appeal in 1990.
- Development is not needed
- Could lead to coalescence.

5.14 The Ramblers have objected to the application on grounds that can be summarised as follows:

- the existing field is significant in enhancing the rural character of the area, and its development would detract from this.
- It would further add to a ribbon of development from Ryde through to St. Helens.
- The application is a variance of the “vision” within the draft Island Planning Strategy and policy DM12.
- Priority should be given to building only on identifiable brownfield sites to meet a clearly recognised local need.

## 6. **Evaluation**

### Principle of the proposed development

- 6.1 The application seeks consent for the demolition of existing workshops and outline for residential development, to include a block of sheltered housing units. The scheme would also include the formation of a new vehicular access, open space and a car park for the nearby school.
- 6.2 The application site is located within the wider rural area and is therefore neither within or immediately adjacent to any settlement boundary. Part of the site is considered to be previously developed, with the remainder of the site being non-previously developed.
- 6.3 Policy SP1 outlines that unless a specific local need is identified, development proposals outside of, or not immediately adjacent to the Key Regeneration Areas, Smaller Regeneration Areas or Rural Service Centres will not be supported. However, this policy position should be taken in the context of the most recent housing needs assessment, Strategic Housing Land Availability Assessment (SHLAA) and the Council’s Five-Year Land Supply Update 2018. The latter of these documents outlines at paragraph 7.18 that “the Isle of Wight Council considers that it cannot demonstrate a five-year land supply as at 1 April 2018.”

- 6.4 Paragraph 11 of the NPPF outlines that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking means:  
“(c) approving development proposals that accord with an up-to-date development plan without delay; or  
(d) 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 this Framework that protect areas or assets of particular importance provides 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 the policies in this Framework taken as a whole.”
- 6.5 The importance of the above paragraph relates to the footnote attributed to ‘out-of-date’ associated with section (d) which states: “This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”
- 6.6 The Council’s annual monitoring reports demonstrate that delivery over the last three years has been in the region of 70% and we therefore fall within both categories. In light of this it is considered that it is not necessary for the applicant to demonstrate a need, as policy SP1 could be considered out of date.
- 6.7 Having due regard to the above the general principle of the use of the site for residential development is considered to be acceptable. It should be noted that despite the principle issues outlined above, any development proposals should still represent a sustainable form of development. In this case, the site is within easy walking distance of local shops, the nearby primary school and a bus route. The proposed development would result in the relocation of a bus stop, which would serve the site and local people. Therefore, the site is considered to be within a sustainable location for the number of houses proposed.
- 6.8 Concerns have been raised by third parties that there is no requirement for sheltered accommodation in the area, as the policy is to allow people to remain in their own homes. Although it is acknowledged that there is a desire to ensure people have a choice to stay in their own homes there is also a need to provide supported accommodation for those who need additional help. Furthermore, there are instances where single

older persons are living in large family homes and it is therefore important to provide alternative accommodation for them to release family housing back into the market. The application serves to meet this need and the aspirations of the Parish Plan and would therefore comply with the requirements of policy DM3 (Balanced Mix of Housing), DM4 (Locally Affordable Housing) and DM5 (Housing for Older People) of the Core Strategy.

- 6.9 A number of concerns have been raised by third parties with regards to the ability of the area's infrastructure (doctors, schools etc.) to accommodate the number of units. Prior to the Core Strategy being adopted a number of consultation processes took place with key stakeholders to establish that the recommended number of units required over the plan period could be accommodated. This application is in line with the overall number.

Impact on the character of the area

- 6.10 The application site is currently part of a triangular parcel of land which sits between two roads. The land is visually associated with the village green, although is private land with no public access across it.
- 6.11 As originally submitted the application proposed to develop the whole northern half of the field. Officers agreed with third parties that this level of development would have resulted in an unacceptable impact on landscape character of the area, especially when viewed from the area around the green. As a result of these concerns that scheme was amended to reduce the proposed level of development to the north-eastern section of the field. This area of the site includes the existing dilapidated buildings, and therefore has some built form on part of it already.
- 6.12 Officers consider that the amendments to the proposed developed area of the site would ensure that the primary views across the site to the countryside beyond, from the south would be protected. The units would still be visible from Nettlestone Hill, but they would be set back from the road (approximately 70 metres) and from this distance would be viewed in the context of the dwellings on Seaview Lane.
- 6.13 The application has been supported by a landscape and visual impact assessment (LVIA). "The visual assessment found that views towards the site (and the village) are very limited from the north and east, due to local topography, the south-west facing aspect of the village, and mature woodland. Similarly, views towards the site from the south are mostly limited by the existing buildings of Nettlestone.....views towards the site from the west and south-west are more extensive, and glimpses are

available from points in the local landscape from as far as Pondwell". Officers concur with these findings and consider that views of the site are limited when looking further field than the village centre.

6.14 The assessment acknowledges that the site itself would experience a significant change from the current series of workshops set in an open field to housing. However, given the layout, proposed use of vernacular materials and varied built forms, it is expected that the new buildings would integrate well with the existing character of the village centre.

6.15 The LVIA considers the following viewpoints:

- Viewpoint 1: view looking east along Seaview Lane
- Viewpoint 2: view looking south along Seaview Lane in the direction of the site
- Viewpoint 3: view west down Seaview Lane at junction with Rowan Tree Drive
- Viewpoint 4: view looking north towards the site from Nettlestone Green at the far end of the village green
- Viewpoint 5: view looking north along Nettlestone Green from close to the village store and parish notice board.
- Viewpoint 6: View north from the junction of Nettlestone Green with Caws Avenue.
- Viewpoint 7: View looking north towards Nettlestone from footpath No. 62
- Viewpoint 8: View looking towards Nettlestone from footpath north of Hill Farm at the boundary of the PL2 & AF1 landscape character areas<sup>1</sup>
- Viewpoint 9: View of Nettlestone from footpath no. 61 to the south-west of settlement, looking north-west.
- Viewpoint 10: View of Nettlestone from footpath no. 61 to the west of the settlement, looking east.
- Viewpoint 11: View from the bottom of Nettlestone Hill
- Viewpoint 12: View from car park adjacent to Pondwell Hill
- Viewpoint 13: View looking east from Pondwell Close
- Viewpoint 14: Glimpse view looking west from footpath no. 63
- Viewpoint 15: View looking north-east from Brading Down

6.16 The assessment acknowledges that the site would be visible either in glimpses or more direct views from these viewpoints. However, it should be noted that the assessment was undertaken in respect of the originally submitted scheme. Therefore, although the assessment concludes that there would be a major/moderate visual impact from Nettlestone Green and a moderate impact on the rural openness and public open space

<sup>1</sup> PL2 – Pasture Land 2 as identified within the East Wight Landscape Character Assessment (LCA)  
AF1 – Arable Farmland 1 as identified within the East Wight Landscape Character Assessment (LCA)

(before mitigation). The assessment to reach these conclusions notes that the proposed units to the north-west of the site would block views of the Solent, with the scheme resulting in the partially loss of openness in the heart of the village. Officers were concerns with regards to this level of harm and hence the revised layout, which removes units from this part of the site and ensures that the open views across the site to the Solent, thus retaining this feeling of openness. The impact is therefore considered to be reduced with the scheme now being acceptable.

- 6.17 In considering the impact of developing on greenfield land within villages, where a change in character is acknowledged it is important to assess this impact in light of the comments made within the Planning Inspectorate decision at Place Road in Cowes which discussed the issue of developing on greenfield land and the landscape impact of this. Within the decision the Inspector made the following comments:

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

- 6.18 Officers consider that the indicative layout shows a small-scale level of development, with a range of unit types, which would allow for a varied design approach. This would ensure that the development would respect the existing character of the village and minimise the impact of developing beyond the footprint of the existing buildings on site, which in themselves detract from the character of the area.

- 6.19 A number of third parties have commented that applications were submitted in the 1990, which were refused and dismissed at appeal, for reasons relating to the visual impact on the area of the area from the development of this site. Officers entirely agree with the decision at that time and should an application be submitted of a similar scale today it was also be refused. However, the applications are dramatically different and cannot therefore be considered comparable. The 1990 application covered the entire triangular field and was very dense the two applications proposing one scheme of 50, a community centre and a roundabout or 18 units with a community centre, this smaller development was located away from the existing buildings on site and the development was therefore concentrated on the western side of the site. These schemes also sought to relocate Seaview Lane through the site.

- 6.20 Officers have clearly set out their concerns with developing the western part of the site, resulting in the amendments to the current application. The concerns of third parties are therefore understood but officers consider that the schemes are not comparable. It should also be noted that these applications were considered under a different national and local policy regime.
- 6.21 Third party comments have expressed concerns that the proposed development would impact on the local area by light, noise, traffic and loss of privacy. Officers consider that the scale of the development together with the level of residential development within the vicinity of the site would not result in a significant increase in any of these to be considered harmful.
- 6.22 Comments have raised concerns that the application would result in settlement coalescence. The Isle of Wight Settlement Coalescence Study has considered the importance of strategic gaps on the Island. Consideration is given in this study to gaps between Ryde, Nettlestone and Seaview. This study concludes that "There has been no significant sense of separation between Nettlestone and Seaview since the construction of The Heights in the 1960s - 70s which effectively joined up the settlements". In light of this officers considered that the small-scale low-density nature of the development would not result in any additional visual coalescence of the settlements.
- 6.23 Having due regard to the above Officers consider that the scheme as amended would change the character of the site from a range of view points within and towards the village, but that this would not be to an unacceptably harmful degree, when considering the views include neighbouring residential development and could be mitigated with the use of sensitive materials and an appropriate landscaping scheme. The proposed development is therefore considered to comply with policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Core Strategy.

#### Impact on neighbouring properties

- 6.24 The site has residential development on three sides. Properties fronting Nettlestone Hill to the west, properties fronting Seaview Lane to the east and Fairy Hill to the north.
- 6.25 As outlined above the proposed development has been set back from the Nettlestone Hill boundary to overcome concerns from third parties and officers that the originally proposed units would be over dominant on and overlook these properties. Officers are satisfied that the amended plans have overcome these concerns and the proposed



development would not have an unacceptable impact on the amenities of these properties.

- 6.26 The existing properties that front Seaview Lane are themselves set back from the road by between approximately 10 metres and 20 metres. The indicative layout shows properties set back behind a re-positioned hedgerow between 4 and 14 metres from the Lane. Taking into consideration the width of the road itself together with the setback distances officers consider that the scheme would not result in any unacceptable harm to the amenities of these properties.
- 6.27 The site lays to the south of Fairy Hill, which is subdivided into multiple units. The indicative layout shows barn style car ports/garages on the boundary of the site with this property, to serve the residents of Fairy Hill. These barns would sit over 40 metres from the main building. The proposed units are shown to be a further 10 metres away. This distance and the intercepting vegetation are considered to be sufficient to ensure that the proposed development would not impact upon the amenities of these residents.
- 6.28 Having due regard to the above and accepting that the proposed layout is purely indicative officers considered that the proposed development could be developed without having an unacceptable impact on the amenities of neighbouring properties and would therefore accord with policy DM2 (Design Quality for New Development) of the Core Strategy.

#### Impact on listed buildings

- 6.29 As outlined above the application has a listed building to the north, Fairy Hill and to the west, The Old Manor.
- 6.30 The closest part of the existing site to the boundary with Fairy Hill is currently occupied with dilapidated buildings. There are then a number of trees and modern garages on the Fairy Hill site itself. Officers therefore consider that the listed building does not currently have a relationship with the site, being mainly screened from it. It is also noted by officers that the list description outlined that the 'most interesting part' of the house is the 'East front'. This elevation would not be visible from the development. It is therefore considered that the proposed development could only seek to enhance by removing the current poor-quality buildings on site.
- 6.31 The heritage statement with the application outlines that the regulating plan indicates a landscape bund on the northern boundary, between the site and Fairy Hill. The Statement considered "this measure to be beneficial to retain and enhance the level of intimacy afforded to Fairy

Hill and should be treated as a planning condition.” Officers recommended a condition accordingly.

- 6.32 The application as originally submitted would have had an unacceptable impact on the setting of The Old Manor, due to the elevated position of the proposed units. However, the revised scheme has set the proposed built form back by around 70 metres from the boundary overcoming this concern. This impact would be further mitigated through an appropriate landscaping scheme, which would define the western boundary of the site. The proposed development is therefore considered to result in an appropriate relationship with The Old Manor and would not impact unacceptably on its setting.
- 6.33 Having due regard to the above the application is considered to comply with policy DM11 (Historic and Built Environment) of the Core Strategy.

#### Trees and Ecology

- 6.34 The site contains one protected tree, which is a large oak on the northern boundary. The proposed scheme would see this tree sited outside of the indicative build footprint of the proposed development and it would therefore not be impacted upon as a result of the proposed development.
- 6.35 The application includes for the provision of a footway and recessed bus stop on Seaview Lane, as a result of these works the existing hedgerow would be re-provided further into the site. Although there would be some initial impact from these works, they would be short term.
- 6.36 The application has been supported by ecological information in respect of protected species. The Council’s Ecology Officer has considered that the application would not have any unacceptable impacts on bats or dormice. Additional information was required in respect of badgers and following the receipt of this and confirmation of the location of an artificial sett, outside of the site boundary but within land owned by the application, the ecology officers raised no objection, subject to conditions ensuring that the proposed mitigation contained within the ecological information is submitted. A licence would need to be obtained from Natural England in respect of the badgers.
- 6.37 Officers are satisfied that the proposed development would not have an unacceptable impact on ecology or trees and once completed would be likely to result in an enhancement to the biodiversity of the site, which is currently unmanaged grassland occasionally cut. The proposals would therefore comply with policy DM12.

## Highway considerations

- 6.38 The site is shown to be accessed via a priority junction off Seaview Lane just south of Rowan Tree Drive. This arrangement includes for associated footways around the junction radius and the provision of a new footway to the south of the junction along the eastern site boundary. This footway would accommodate the relocation of the existing bus stop that is currently located just north of Nettlestone Green within Seaview Lane opposite the property 'High Vista'. Provision is also made within the footway for two uncontrolled pedestrian crossing points on Seaview Lane to provide connectivity between the site and the wider network. The relocation of this bus stop is considered to result in a significant improvement to the safety of those waiting for the bus, as they currently have to wait in the carriageway.
- 6.39 Seaview Lane (B3340) provides the principle means of vehicle access into Seaview. It is a bus route and is governed by a 30mph speed limit at the point of the proposed access. Because of the posted speed limit and based on the traffic data detailed within Appendix B of the submitted Transport Statement, design standards as set out in Manual for Streets / Manual for Streets 2, the Local Authority Parking and Refuse SPD's and Highway Authority Design Guide for Estate Development are deemed to be applicable in this instance.
- 6.40 It is acknowledged that based on the land detailed to fall within the control of the applicant and subject to hedgerow removal, fully compliant junction visibility splays ('X'=2.40m by 'Y' = 43.0m) can be achieved to serve the access arrangement. It is also accepted that based on the submitted traffic data there is scope if necessary, to reduce the required junction visibility 'Y' distances;
- North bound traffic using Seaview Lane has an 85th%tile speed of 27.3mph (Y = 37.0m)
  - South bound traffic using Seaview Lane has an 85th%tile speed of 26.4mph (Y = 36.0m)
- 6.41 On the multiple occasions that site visits have been undertaken, cars have been parked on the eastern side of Seaview Road from the junction with Rowan Tree Drive through to the existing double yellow lines north of the junction with The Green. While it is acknowledged this is an existing practice that impacts on the ability of two private motor vehicles or a private motor vehicle and a service vehicle to pass with ease and limits the level of visibility available to motorist when exiting Rowan Tree Drive and viewing to the south. The vehicle and pedestrian demand on this part of the network would significantly change if the development as proposed was approved;

- large vehicles exiting the site access and turning to the south would be inhibited by vehicles parked opposite the junction.
- there would be an increase in two-way vehicles flows on this section of Seaview Lane leading to the potential increase in standing vehicles where current parking practice restricts movement.
- pedestrians would be encouraged to cross between parked vehicles with limited visibility.

Each of the above matters have highways safety implications and it is the view of Island Roads that the introduction of parking restrictions has the potential to address these issues.

- 6.42 Officers agree with the above view and it is therefore proposed to place a Grampian condition on any permission requiring a Traffic Regulation Order to be entered into for double yellow lines on this part of the network. Officers are satisfied that there is a prospect of this Order being accepted and therefore consider it to be appropriate to condition. During the officer site visit the highway issues associated with the parking of cars on the road in this location was observed and it is considered the safety issue associated with this could trigger the need for double yellow lines with or without the development occurring.
- 6.43 The applicant supports the provision of a 2.0m wide verge running along the Seaview Lane frontage of the site between the proposed junction and the northern site boundary. Island Roads recommend that should the LPA seek to approve this application this be covered by condition.
- 6.44 On review of the traffic data as detailed within section 4.0 of the Transport Statement and when considering the proposed reduction in the level of development from 34 – 17 dwellings the traffic generation associated with this proposal is not deemed to have a negative impact on the capacity of the highway/project network.
- 6.45 The application includes for a car park to be used by the local school, for staff, to help to alleviate some of the issues associated with the lack of such a facility currently, to the highway network around Nettlestone. The Parish Plan identifies that there is insufficient parking to serve people using the shop, or the school. The proposal seeks to address part of this issue.
- 6.46 To facilitate the movement of pedestrians and cyclists through the site and from the proposed car park to the school the layout includes for footways through the site and tactile crossing points within the onward network.

- 6.47 When originally submitted the application showed a change to the road network around The Green, to reduce the radii. Following concerns raised by Island Roads these changes have been removed from the scheme.
- 6.48 Island Roads have concluded that on balance when considering the scale of development (now 17 dwellings as opposed to the 34 originally proposed) highway safety gain that would be brought about by;
- Providing designated school parking remote from the public highway with a fully compliant access, parking layout, vehicle turning area and a metalled footway route through to Seaview Lane.
  - Providing a footpath link west to east across the site with formalised uncontrolled pedestrian crossing points on the western side of Seaview Lane protected by on-street parking restrictions (subject to securing the required TRO) to provide onward connectivity to the local footway network from public footpath R114 an bridle way R95 so as to discourage the need to cross at the top of Nettlestone Hill outside of 'Solent View'.
  - The relocation of the existing bus stop on Seaview Lane that is currently positioned just to the north of the Seaview Lane / The Green junction and devoid of an associated footway link.
- 6.49 Island Roads have commented that should the LPA deem it to be reasonable they would also recommend that the applicant be obligated to provide a pedestrian link through the site along with an associated refuge to and to serve the existing request bus stop that sits adjacent to the western site boundary, currently within the live carriageway. However, at the same time it is acknowledged that site users are more likely to use the Seaview Lane stop that is already shown to be remodelled as part of these works. In the absence of these works Island Roads have confirmed that they would not recommend refusal. Officers have considered this request however, due to the existing level difference between the site and Nettlestone Hill and the resultant need to 'cut' into the existing boundary wall and bank to provide a refuge, this request was considered to be unreasonable and would result in a significant impact on the character of the street scene.
- 6.50 Concerns have been raised with respect to the time of year when the traffic survey was undertaken (February). However, the highway engineer from Island Roads has confirmed that this would be a suitable neutral month to undertake the traffic survey. If surveys are undertaken in the summer season, as suggested by objectors, the 'typical' peak hour would be skewed, and no consideration would be given to school traffic. Furthermore, this could reduce any required for improvements as

the percentage increase onto the network would be lower should the level of traffic be higher.

- 6.51 Having due regard to the above officers consider that the application would be acceptable in respect of highways and would therefore comply with policy SP7 and DM2

Other matters

- 6.52 Concerns have been raised that the proposed development would result in an increase in flooding. The site is located at the top of the existing site on high ground, which sits outside of any area of known flood risk and within flood zone 1 (an area of lowest risk). Officers are satisfied that appropriate drainage using the existing levels and appropriate attenuation would ensure that the application did not result in an increased risk of flooding by controlling the flow to greenfield rates plus an appropriate buffer of 30%. A condition is recommended accordingly.
- 6.53 Comments have been received from third parties suggesting that the previously developed part of the site was agriculture and not therefore classified as brownfield. Other comments have also outlined that the need could be met by existing brownfield sites which should be developed first, such as Harcourt Sands and the Flamingo Park.
- 6.54 Following a site visit officers are satisfied that these units appear to be industrial however, this is somewhat semantics. The buildings on site detract from the character of the area, due to their dilapidated condition. Therefore, the redevelopment of this part of the site is considered to result in an enhancement. When taking this, the limited amount of the site this relates to and the housing need expressed in the principle section of this report into consideration officers do not believe that the formal definition of this part of the site is fundamental to the recommendation.
- 6.55 Officers acknowledge that both Harcourt Sands and the Flamingo Park are vacant brownfield sites, one of which has permission the other forming a proposed allocation within the draft Island Planning Strategy. However, these sites are not being developed out and the local planning authority cannot force the landowner to do so. Therefore, other sites need to be considered to achieve the required housing delivery numbers.
- 6.56 Third party comments have suggested that the development of the field would impact upon tourism, as the development would detract from the character of the area. As outlined above officers considered that following a reduction to the built form of the development there would

not be an unacceptable impact on the character of the area. Furthermore, officers do not believe that the construction of 17 units in the north-eastern corner of this field would impact on someone's decision to visit the Island or enjoyment of the rural character during their visit.

6.57 Comments suggested that there is not the level of "claimed public support" for the development as the application documentation suggests. The application has been submitted with a Statement of Community Involvement which outlines that "community engagement started in 2013. There have been four well attended community workshops and four formal updates presented to Seaview and Nettlestone Parish Council."

6.58 The statement outlines that few, if any people object to the redevelopment of the redundant workshops. The consultations have led to design changes. The conclusions in the executive summary clearly state "we are not claiming universal support for the proposed development.... However, we do consider that SGJ Bloombridge's consultation endeavours have been exemplary and robust." There is no claim therefore that there is significant support. However, a letter from the Parish Council dated 2015 is included in the documentation which concludes "Your proposal supports the Parish's aspirations and we look forward to a subsequent application which we can take to our parishioners." Based on these comments you can understand the applicant's belief that they had local support for the principle of their scheme.

6.59 In line with the requirements of policy DM22 (Development Contributions) and the adopted SPDs outlined above the recommendation for approval is subject to the following heads of terms, which have been agreed with the applicant:

- SPA Mitigation in accordance with the Bird Aware document. This being:
  - £337 for 1-bedroom dwelling
  - £487 for 2-bedroom dwelling
  - £637 for 3-bedroom dwelling
  - £747 for 4-bedroom dwelling
  - £880 for 5 bedrooms or more
- 35% on site affordable housing (to be provided by the sheltered apartments)
- £10,000 towards sustainable transport
- The relocation of the existing bus stop on Seaview Lane to include a set back off the road.

## **7. Conclusion**

7.1 Giving due regard and appropriate weight to all material considerations referred to above Officers consider that the proposed development would provide needed housing on a site which is available, suitable and viable, within a sustainable location in accordance with policies SP1, SP2, DM3 and DM4.

7.2 It is acknowledged that the proposed development would change the character of the site, but Officers consider that it would not have an unacceptable impact on the character of the area as a whole in accordance with policies DM2.

7.3 The proposed development would not result in an unacceptable impact on neighbouring properties, the setting of nearby listed buildings, highway safety, ecology or trees.

## **8. Recommendation**

8.1 Conditional Permission, subject to a Section 106 Agreement the terms of which are set out in paragraph 6.58 above.

## **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 and was updated of any issues during the determination period. Further information provided in respect of highways and ecology and the layout was amended during the course of the application that overcame the Council's concerns.



## Conditions/Reasons

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

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

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

**Reason:** In order to secure a satisfactory development and be in accordance with policy SP1 Spatial Strategy and DM2 Design Quality for New Development of the Island Plan Core Strategy.

3. 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 as set out within Preliminary Ecological Appraisal (Eagle Eye Environmental Solutions, 27<sup>th</sup> June) and subsequent bat and badger surveys (Eagle Eye Environmental Solutions, April 2017 and 27<sup>th</sup> June respectively), including a timetable for the carrying out and completion of such works, have 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 of planting)
2. Planting specification for locally important invertebrates, birds and mammals to be the foundation of all landscape designs, including formal planting, the new hedgerow network, common spaces, car parks, road verges and open spaces.
3. Habitat enhancements, including details on the installation of bird and boxes.
4. Badger sett relocation methodology and plans.
5. Outdoor lighting specifications and plans.

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 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. The agreed method statement will then be adhered to throughout the development of the site.

**Reason:** This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure that the high amenity tree(s) to be retained is 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 completion of the external building construction works full details of both hard and soft landscape works, to include the re-provision of the hedgerow onto Seaview Lane have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include a schedule of plants, noting species, plant sizes and proposed numbers/densities, proposed finished levels or contours; means of enclosure; car parking layouts; provision for cycle parking, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. refuse or other storage units, signs, lighting, etc).

Works shall be carried out in accordance with the agreed details prior to the units being occupied and the planting 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.

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

6. Prior to the commencement of the construction works of the dwellings hereby approved details of the materials and finishes to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

7. Prior to the commencement of works for the construction of the dwellings hereby approved details until such time as a scheme to manage surface and foul water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**Reason:** To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users in accordance with policy DM14 (Flood Risk) of the Island Plan Core Strategy and paragraph 103 of the National Planning Policy Framework.

8. No development shall take place, until a construction method statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) access and parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emissions of noise, smoke, fumes, dust and dirt during construction
- vii) timing of works

**Reason:** To prevent annoyance and disturbance, during the demolition and construction phase in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and paragraph 123 of the National Planning Policy Framework.

9. Development shall not begin until the junction between the proposed service road and the highway as detailed on drawing no. PL 003E has been constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

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

10. No dwelling shall be occupied until the parts of the service road which provide access to it including for the junction and associated footway works and uncontrolled pedestrian crossings serving the site from the B3340 Seaview Lane (based on the layout as detailed on drawing no. 22223/01 dated April 2018) have been constructed surfaced and drained in accordance with details which have been submitted to and approved 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.

11. No dwelling shall be occupied until the existing bus stop located within the eastern site boundary fronting the B3340 Seaview Lane has been relocated, including for all associated footway, shelter, drainage and kerbing works (based on the principals of layout as detailed on drawing no. 22223/01 dated April 2018 and drawing no. PL 003D dated Dec 2018) has been constructed surfaced and drained in accordance with details which have been submitted to and approved 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.

12. Development shall not begin until details of the design, surfacing and construction of any new roads, footways, accesses and car parking areas, together with details of the means of disposal of surface water drainage there from have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

13. Before the development hereby permitted is commenced details of the width, alignment, gradient and drainage of all roads shall be submitted to and approved in writing by the Local Planning Authority with the principal road network allowing for a minimum carriageway width of 5.0m. Development shall be carried out in accordance with the approved details.

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

14. No dwelling hereby permitted shall be occupied until space has been laid out within the site and drained and surfaced in accordance with details that have been submitted to and approved by the Local Planning Authority in writing for

cars/bicycles to be parked at a level reflective of Table 1 of Appendix 1 of the Local Authority Guidelines for Parking Provision as Part of New Developments SPD dated January 2017, with the exception of the spaces hereby approved for use by the school.

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

15. The dwellings hereby approved shall not be occupied until the 20 car parking spaces for the school have been provided and are made available for this use. The spaces shall thereafter be used for this purpose.

**Reason:** in the interest of highway safety within the wider highway network to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

16. No dwelling hereby approved shall be occupied until a pedestrian link has been provided and thereafter retained running west to east across the site between the junction of Nettlestone Hill / Public Footpath R114 / Public Bridleway R95 site through to the B3340 Seaview Lane to provide accessibility to the local footway network, in accordance with details which have been submitted to and approved by the Local Planning Authority.

**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.

17. No dwelling hereby approved shall not be occupied until sight lines at the junction of the site access with the B3340 Seaview Lane have been provided in accordance with the visibility splays shown on the approved plan 22223/01 dated April 2018. Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

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

18. No dwelling hereby approved shall not be occupied until the roadside boundary of the site running north from junction detailed so serve the site from the B3340 Seaview Lane as detailed on drawing no. 22223/01 through to the northern site boundary has reduced in height to a maximum of 1.0m above the level of the adjacent public highway and laid to verge over a width of 2.0m. Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

- Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.
19. No development shall commence until a Traffic Regulation Order relating to parking restrictions and bus stop cages within Seaview Lane from its junction with The Green through to Holgate Lane to secure junction and pedestrian visibility splays and to allow private and service vehicles to enter and exit the site with ease. All subsequent works associated with the TRO shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

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

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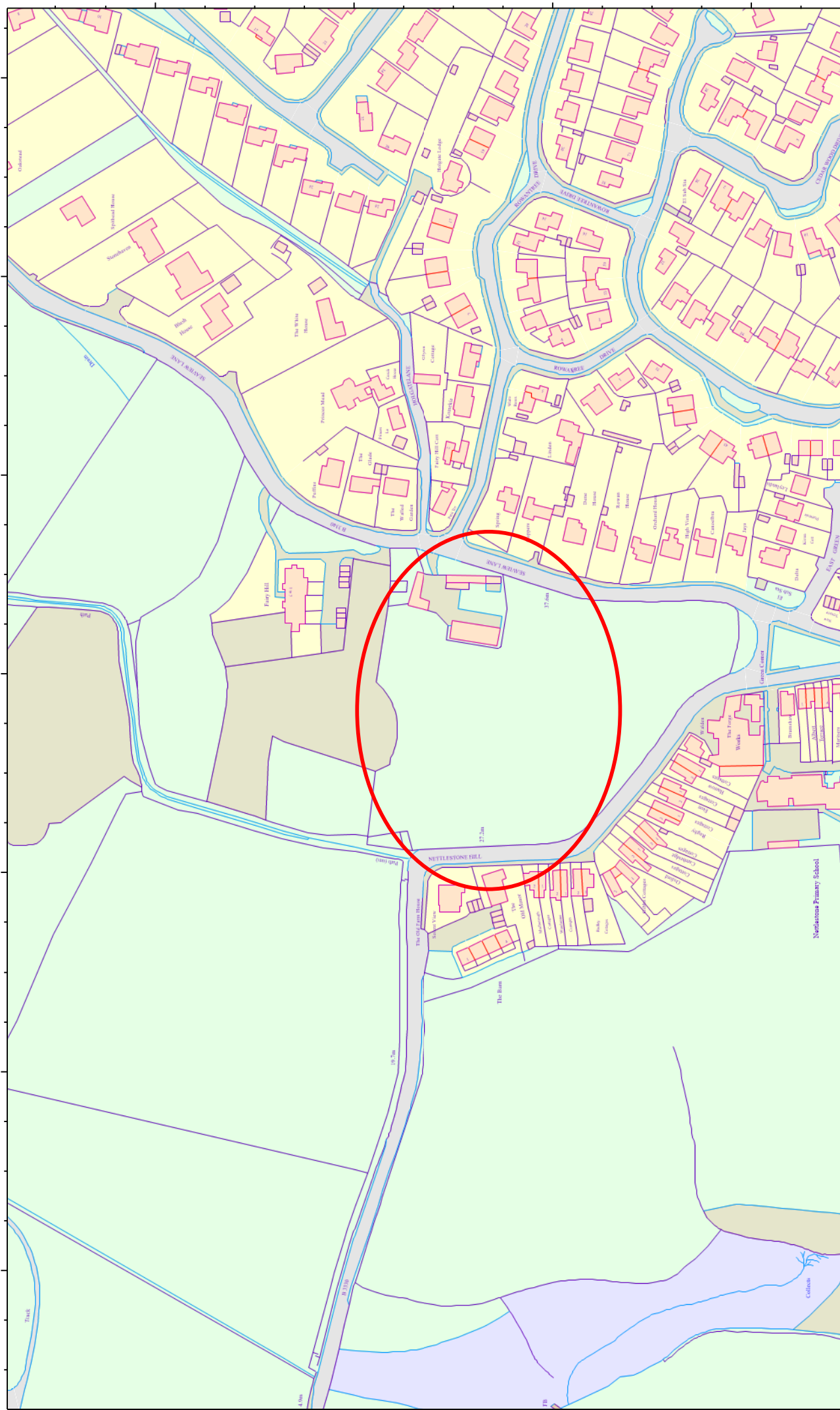
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P/00496/18 - land between Nettlestone Hill and Seaview Lane,  
Seaview

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**Reference Number:** P/00741/18

**Description of application:** Outline for residential development of up to 40 dwellings with means of access and associated infrastructure (Re-advertised application - revised plans showing removal of Brocks Copse Road vehicle access, alternative right of way to align Brocks Copse Road and revised red line boundary).

**Site Address:** Palmers Farm, Brocks Copse Road, Wootton Bridge, Ryde, Isle of Wight, PO334NP

**Applicant:** Mr P. M. & Mrs J. C. Rogers

**This application is recommended for conditional permission**

**REASON FOR COMMITTEE CONSIDERATION**

The application raised a balance of policy issues.

**MAIN CONSIDERATIONS**

- Principle
- Impact on the character of the area
- Impact on neighbouring properties
- Trees and Ecology
- Archaeology
- Highway considerations
- Other matters

**1. Location and Site Characteristics**

1.1. The application site extends to an area of 4.5 hectares and is located to the north of Wootton Bridge and west of existing housing that aligns the western side of Palmers Road, effectively forming the western extremity of the village. The housing within Palmers Road is characterised by a mix of inter-war two storey properties set within large plots, with more recent 1970/80s houses and bungalows forming the northern end of the road. The street scene is spacious owing to the set back nature of properties and spacing between plots. The northern end of Palmers Road becomes more rural, with only a handful of properties on its eastern side. Predominant materials include brick, artificial stone, slate and concrete tiles.

1.2 Properties within Brocks Copse Road wrap around the southern section of the site, forming a discrete area of houses that extends west of Palmers Road. The street scene here is more rural, given the sunken nature of the road and the



prevalence of hedgerows and trees. The southern side of the street scene is characterised by detached 1970s era bungalows set within spacious plots with the northern side dominated by the fine stone quadrangle of barns that formed Palmers Farm, now converted to housing.

- 1.3 The application site is formed by three sections that together form an offset rectangle of land north of Palmers Farm. This is split within the centre by existing ecology tree planting, which would be retained. The northern section of the site is an agricultural field that drops slightly to the west. The field is enclosed by mature hedgerows and trees and the eastern boundary aligns Palmers Road. The field was left fallow at the time of the site inspection.
- 1.4 The final section of the site is east of the tree planting, forming a narrow strip of land that slopes gradually to the west. The land beyond slopes more steeply, forming an attractive valley set within a backdrop of coastal woodland. This section of the site is not formalised by any distinctive hedgerows and is instead, left open and characterised by scrubby planting, gravel tracks and various individual trees.
- 1.5 The northern section of the site is accessed via a field gate that opens onto Palmers Road, while the southern section is accessed via a gravel drive that serves Palmers Farm, adjoining the northern side of Brocks Copse Road.

## **2. Details of Application**

- 2.1 Outline planning permission is sought for the construction of up to 40 houses, with access via Palmers Road. Matters for consideration at this stage are principle and access, with the appearance, scale, landscaping and layout reserved for later consideration.
- 2.2 The submitted plans show two concept options for the development, both with 10 detached houses shown on the eastern section of the site with the remaining 30 to be located within the northern field. The differences between the two options are solely related to the layout of the housing within the northern field, although both versions show 16 detached houses and 14 affordable houses arranged as three terraces to form a quadrangle.
- 2.3 The difference between options 1 and 2 relate to the location of the quadrangle, which in option 1 is shown to be located on the eastern side of the field, closer to Palmers Road but on the western side of the field for option 2.
- 2.4 The plans show that all detached houses would comprise generous front and rear gardens, parking areas to the front, edged by landscaped buffers. As stated above, the existing tree planting within the centre of the site would be retained and the areas to include housing would include spacious areas of tree planting.

- 2.5 The proposed quadrangle would form a farm-style courtyard, shown to be smaller properties to be used as affordable housing. The properties would front onto a central yard/ parking area and include gardens to the rear.
- 2.6 The site would be accessed via Palmers Road, where a new access road would travel west to serve properties within the northern area of the site, turning 90 degrees to the south to serve the proposed eastern housing. A turning head would be provided at the south eastern extremity of the site to allow large vehicles to safely enter and exit the site.
- 2.7 A new roundabout would be provided between the junction of Palmers Road and Church Road. Church Road is currently unmade however, part of the road would be surfaced to form a section of the roundabout. A second smaller roundabout would be formed further north, at the point of the site access.
- 2.8 The applicants have also agreed to provide a new public footpath route on land they own, but outside of the development area. This would allow the current public right of way that follows Brocks Copse Road to be diverted into a field, rather than the live carriageway.

### **3. Relevant History**

- 3.1. None relevant to this proposal.

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

#### National Planning Policy

- 4.1 The National Planning Policy Framework (NPPF). 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.

- 4.2 The following sections of the NPPF are directly relevant to this planning application:

Section 2 – Achieving sustainable development

Section 5 – Delivering a sufficient supply of homes

Section 11 – Making effective use of land  
Section 12 – Achieving well-designed places

Local Planning Policy

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

- SP1 Spatial Strategy
- SP2 Housing
- SP5 Environment
- SP7 Travel
- SP9 Mineral
- 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
- DM13 Green Infrastructure
- DM14 Flood Risk
- DM17 Sustainable Travel
- DM20 Minerals
- DM22 Developer Contributions

4.4 Wootton Bridge Village Design Statement

4.5 Wootton Bridge Housing Needs Assessment (2018)

4.6 Affordable Housing Contributions (SPD) (2017)

4.7 Bird Aware Solent Recreation Mitigation Strategy (2018)

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

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

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

### Internal Consultees

5.1 The Island Roads Highway Engineer raised no objection to the proposed development, following the submission of revised plans that omitted access from Brocks Copse Road. The Engineer confirmed that the development would be acceptable in terms of highway safety, highway capacity and parking provision. The Engineer recommended conditions to control means of access, off site highway works and construction impacts.

- 5.2 The Council's Ecology Officer has noted that both options for the development show a buffer area between residential properties in the north east of the site and surrounding woodland. The Officer has noted that the existing woodland onsite would be managed and whilst residential properties with large gardens back directly onto the woodland, through management the integrity of it can be maintained. The Ecology Officer has confirmed that either plan is acceptable on ecological grounds.
- 5.3 The Council's Tree Officer has advised that the proposed development would not result in the loss of trees within the interior of the site but have the potential to effect high amenity oak trees along the north eastern boundary, due to a proposed access from Palmers Road. The Officer has confirmed that additional information has shown that the access road would not result in harm to the trees and recommended standard conditions.
- 5.4 The Council's Archaeological Officer has advised that the site comprises a number of archaeological deposits but concluded that the applicant's archaeology survey has shown the likely location and nature of these features. The Officer has recommended conditions to secure a written scheme of investigation prior to development taking place.
- 5.5 The Council's Rights of Way Manager has supported the proposed rights of way works related to Brocks Copse Road, subject to detailed routes and means of construction being secured by condition.

#### External consultees

- 5.6 Natural England have confirmed no objection to the proposed development subject to conditions to secure the Solent Mitigation Strategy contributions and a Biodiversity Mitigation and Enhancement Plan.

#### Parish/Town Council Comments

- 5.7 Wootton Bridge Parish Council have objected to the proposed development for the following reasons:
- The site is not adjacent to the settlement boundary
  - Impact of the development on the countryside and King's Quay SSSI
  - Light pollution
  - The scheme in no way fulfils the criteria to provide affordable housing and is not supported by the Wootton Bridge Housing Needs Survey
  - Impact of traffic on the area and the Newport to Ryde Road
  - There should be a new Traffic Statement given the single access
  - Impact on local sewers and water pressure
  - Any person living at the site would need to walk 0.6 miles to local amenities
  - How will the road be maintained once the development is finished?
  - Impact on the safety of pedestrians/ a footpath should be required

- Impact on the local GP surgery
- Any capacity at the local school would be taken up by other developments in the area

### Third Party Representations

5.8 73 letters of objection were received during the original consultation period. A further 53 letters were received following the amendments and re-consultation. The content of all of these letters can be summarised as follows:

- The development is too large for Wootton Bridge
- Loss of greenfield land/ previously developed land should be used
- The site is not adjacent to the settlement boundary
- The site is not sustainable
- No evidence that the site would be delivered speedily or contribute to housing requirements
- No local need has been demonstrated
- The Parish Housing Needs Survey shows a requirement for 9 dwellings per year
- There are existing empty houses
- The information does not set out how the development would deliver affordable or older persons housing
- The 2014 SHMA is out of date – **Officer comment** – The Council undertook a Housing Needs Assessment in 2018, which provides detailed and contemporary data
- The site has not been part of the SHLAA process – **Officer comment** – this is not a requirement for a planning application
- Impact on the character of the area
- The development would not be in keeping with the character of the area
- Impact on the AONB
- The development is too large
- Light pollution
- The development would have a detrimental impact on existing properties
- Disruption to the area
- Impact on ecology and protected species
- Impact on woodland
- Loss of farmland
- The development would cause traffic hazards
- The traffic data is under-estimated
- Impact on highway capacity
- Impact on highway safety for pedestrians, cyclists school children/ lack of a footpath
- Lack of suitable access for emergency vehicles
- The proposed Palmers Road access would be unworkable
- Lack of bus services in Wootton

- Church Road is unmade and not suitable for the proposed development
- A new route for the Coastal Path is being considered – **Officer comment** – The Coastal Path is an ongoing proposal that is yet to be finalised and therefore not a material consideration
- Brocks Copse Road is unsuitable to serve the proposed development and is part of the Island Cycle Network/ the lane is narrow and not safe for additional traffic
- Local roads would be used as a rat run
- There is insufficient width for the new roundabout in Palmers Road
- Impact on local facilities such as GP surgeries, the local school
- Lack of capacity in local drainage network/ water supplies
- Impact on archaeology
- The site is within a minerals safeguarding area
- Various conditions should control the number, type, scale and height of housing, along with landscaping
- A permission for a former plant hire business at Palmers Farm should be revoked
- Potential to set a precedent for other developments – **Officer comment** – precedent is not a planning matter as each case must be assessed on its own merits

5.9 CPRE Isle of Wight have objected to the proposals and stated that the planning application has not taken archaeological impacts into account, that the site cannot be considered to be immediately adjacent to the settlement boundary, that the two areas of housing are separate sites and that the western section of the site is within the countryside. The CPRE have stated that the site is overlooked by the AONB and consider that the proposals would harm the AONB and cause a loss of habitat. They have commented that the site is visible from local footpaths.

## 6. Evaluation

### Principle

6.1 Paragraph 77 of the NPPF states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. The NPPF goes on to state, at paragraph 78, that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.

6.2 The Island Plan Core Strategy seeks to restrict new residential development in rural areas and requires new development to take place within or immediately adjacent to defined settlement boundaries in order to direct development to the most sustainable locations. Policy SP1 (Spatial Strategy) of the Core Strategy sets a hierarchy of settlements beginning with three key regeneration areas (The Medina Valley, Ryde and the Bay), then two smaller regeneration areas

(Freshwater and Ventnor) and finally a further eleven rural service centres within which new development will be expected to be directed.

6.3 The site is immediately adjacent to the settlement boundary for Wootton Bridge, which is a Rural Service Centre. Wootton comprises a good range of services and facilities that can be used by residents and these are within walking distance of the site. Access from the site would be via an existing public highway that comprises lit pavements and there is also a bus route within walking distance. Thus, the site is considered to be located in an area that would allow a good choice of transport options and be classed as sustainable in the context of the NPPF and Island Plan.

6.4 The Island Plan at policy SP2 states that 980 houses will be delivered throughout the Wider Rural Area and the Rural Service Centres. The proposal would deliver up to 40 houses and therefore make a sizeable contribution to this requirement. However, because Wootton Bridge is a Rural Service Centre, policy SP2 requires a justification of local need for the housing along with an assessment of alternative previously developed land. These issues are discussed in detail below:

#### *Local need*

6.5 Policy DM3 (Balanced Mix of Housing) of the Island Plan states that development proposals should provide an appropriate mix of housing types and sizes and that the mix should reflect the most up to date Strategic Market Housing Assessment (SHMA). The Council undertook a Housing Needs Assessment (HNA) in 2018.

The HNA shows that for the Medina Valley-East housing sub-market area (within which Wootton Bridge is located) there is an annual requirement of 77 new homes of which 22 are affordable homes. This shows a broad requirement for housing in this area, which combines within the over-arching need to provide housing throughout the Rural Service Centres.

6.6 More specifically, Wootton Bridge Parish Council published a Housing Needs Assessment in 2018 and this outlined the following key findings:

- 140 households within the area need to move but were unable to do so, generally due to the lack of affordability or the absence of suitable properties
- 39% of all respondents would like to remain within the parish but move to a suitable property within 5 years but cannot due to the above reasons
- That 354 new households would be likely to form within 5 years, with 62% wishing to remain within the Parish

6.7 The Housing Needs Assessment found that there was a need for the following mix of market housing over a 5 year period:

- 81 additional homes, mainly 1, 2 and 3 bedroom houses

- 25 units of social rented housing per year for 5 years
- There is no requirement for additional 4 or more-bedroom homes, which indicates that many of the moving households are seeking smaller homes

As a result, it is readily apparent that there is a strong local need for housing within the Wootton Bridge area and it should be noted that the above statistics are based on existing residents within the Parish. The authors of the Survey state that 'we are unable to estimate demand from households moving in from outside the survey area' and therefore Officers consider that the corollary that can be drawn from this is that the need for housing in Wootton may be greater due to people or families who would reside within the area, should the housing they require be available. In addition, members of the public have referred to existing unsold properties within the Parish. However, the Housing Needs Assessment findings take into account existing stock that is for sale within the Parish.

- 6.8 It should be noted that at this stage, the layout, scale and final design of the proposed housing has not been provided. As a result, the submitted information does not confirm the final mix of housing. Nevertheless, the proposals are in outline and as result, should the planning application be granted, Officers would expect any detailed planning application to reflect the identified mix of housing required for the Parish in order to comply with policies DM3 (Balanced Mix of Housing) and DM5 (Housing for Older People) of the Island Plan. However, the submitted information does show that 35% of the proposed houses (14 homes) would be affordable and thus comply with the requirements of policy DM4 (Locally Affordable Housing). The final mix of tenures would be agreed through a legal agreement, should this application gain permission.
- 6.9 In conclusion, it should be noted that both the Island Plan and the Council's Housing Needs Survey show a broad requirement for additional housing within the sub-housing market that Wootton is within. The Wootton Bridge Housing Needs Assessment provided up to date and specific information to demonstrate the requirement for both market and affordable housing within the Parish and therefore, it is considered that a local need has been established for housing at this site, which is immediately adjacent to the settlement boundary, subject to an assessment of alternative previously developed land.

*Previously developed land*

- 6.10 Section 11 (Making effective use of land) of the NPPF states that 'Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield land.'" This is reflected within policy SP2 of the Island Plan Core Strategy, which requires a demonstration that deliverable previously developed land is not available within the settlement boundary.
- 6.11 Wootton is a relatively typical Island village, whereby its principle uses are residential or the various services within the High Street. The village does not



comprise a high proportion of previously developed, vacant sites that could cater for the level of housing identified above. Non-residential uses within the village remain functional and offer a source of employment for local people. Therefore, Officers are not aware of any previously developed sites within the Parish that could accommodate the proposed development.

- 6.12 In light of the above findings, Officers consider that the application site represents a sustainable location for new housing development. The various Council and Parish Council documents identify a local need for new housing within the Parish and due to the proximity of the site to local services, it is considered to represent a suitable site for additional housing in compliance with policies SP1 and SP2 of the Island Plan Core Strategy.

*Five-year land supply*

- 6.13 Paragraph 11 of the NPPF requires Planning Authorities to apply a presumption in favour of sustainable development when compiling development plans and for decision taking on applications. The NPPF states that for decision-taking this means:

“(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) 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 this Framework that protect areas or assets of particular importance provides 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 the policies in this Framework taken as a whole.”

- 6.14 In relation to criterion (d) above, the NPPF confirms that policies for housing decisions are considered out of date in situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. The Council’s annual monitoring reports demonstrate that delivery over the last three years on the Island has been in the region of 70% and we therefore fall within both categories. In light of this it is not considered necessary for the applicant to demonstrate a need, as policy SP1 could be considered out of date. However, it is considered that even if a five-year housing supply could be demonstrated, that the site would be sustainable and suitable for additional housing, given the comments above.

### Impact on the character of the area

- 6.15 Policies DM2 and DM12 of the Island Plan require development proposals to be of a high quality of design, to compliment the character of the surrounding area, and to conserve, enhance and promote the Island's landscape.
- 6.16 The planning application does not include detailed designs of the proposed housing, given the outline nature of the proposals. Therefore, only the broader impact of housing on the surrounding area can be assessed. However, it is apparent that the proposed housing would include two storeys.
- 6.17 The plans show that the proposed housing would occupy two areas of the site, one to the north, one to the south west. These two areas differ in character and their prominence within the landscape. The south western side of the site is more exposed given the absence of tree or hedgerow planting. The Officer site inspection showed that this area overlooks a narrow, shallow valley that stretches approximately 450m to the woodland that aligns the western boundary of the applicant's land (Woodhouse Copse and Little Seaclose Copse). Nevertheless, the area of the proposed western housing forms a low ridge, which is not readily visible from outside of Palmers Farm, or from the valley. This is due to the limited height of the ridge.
- 6.18 The submitted plans show that the proposed houses on the western side of the site would be set between 10 to 30m back from the ridge, which would reduce the impact of the housing and allow meaningful landscaping to be undertaken to allow the development to blend into the landscape to the west and the existing well-established tree planting to the east.
- 6.19 Brocks Copse Road is located to the south of the application site and travels in a more or less east-west direction, approximately 20m below the level of the application site. However, the western end is effectively a sunken rural lane that is aligned by banks and thick lines of trees and hedges, creating a tunnelled effect. The Officer site visit showed that the site is not visible from the lane or landscape to the south or west due to intervening woodland and in particular, the tree screen that aligns Brocks Copse Road.
- 6.20 Properties within Palmers Road are located approximately 180m east of the proposed south eastern section of housing. The existing woodland between the site and houses within Palmers Road would provide a thick screen that when combined with the lower land level of the site, would prevent the housing from harming the rural character of the landscape when viewed from the north and east.
- 6.21 The housing within the northern section of the site would be set within a field that is well screened from the surrounding area by high hedgerows and the woodland to the south and east. The Officer site inspection showed that this area of the site shares a similar land level to the houses within Palmers Road, which are themselves not prominent within wider views to the north, south or west.

- 6.22 The boundary between the northern housing and rear gardens serving the final four houses within Palmers Road is relatively open and as a result, there would be views of the housing from these properties. However, the plans show that additional planting would be undertaken alongside the boundary of 79 Palmers Road and this would combine with the existing woodland and hedgerows to mitigate the visual impact of the housing development from these properties, in terms of the rural character of the area.
- 6.23 The application site is located 650m from the AONB landscape to the north and west. While there is some limited inter-visibility between the site and the AONB, the intervening distance and presence of woodland would prevent harm to the designated landscape, as would the backdrop of existing housing, existing established boundary planting and the low scale nature of the development. It is apparent therefore, that the development would not result in direct impacts to the AONB and instead result in minor effects on its setting that would not result in significant adverse impacts on the designated landscape and the purposes for which the area has been designated.
- 6.24 Members of the public have raised concerns that the development would result in light pollution. It should be noted that this is an outline planning application and that as a result, detailed designs of site infrastructure such as lighting have not been provided. Should consent be granted, the detailed design and location of lighting could be provided via conditions. This would allow the Planning Authority to control the method of external lighting and to ensure that suitable design measures would be put in place to prevent glare or light spillage.
- 6.25 The proposed development would clearly alter the character of the area, by introducing housing development and its associated infrastructure into an area that is currently rural. However, as shown above, the Officer site inspections have shown that the site is not prominent, and that existing trees and hedgerows would screen the development and allow it to blend into the landscape. While the submitted plans are not detailed, they show that green corridors and buffer strips would be provided along with a spacious layout to further mitigate the low level of landscape impact that the development would cause.
- 6.26 The proposed development would expand north and beyond the line of housing that aligns the western side of Palmers Road. However, Reynards Cattery aligns with the northern field and eight houses have been approved here (P/00746/17), which would correspond with the location of the proposed housing. In addition, further east is Wootton Manor Farm, which forms a large quadrangle of houses, similar in size to those proposed at Palmers Farm and on a similar geographical alignment. Officer's opinion is that based on the current pattern of development, expansion of housing within the northern field would not be out of context with the current pattern of development.

6.27 Therefore, it is considered that the landscape impact of housing at this site would not unduly impact on the surrounding area and therefore, comply with the requirements of policies SP5, DM2 and DM12 of the Island Plan Core Strategy.

#### Impact on neighbouring properties

6.28 The Officer site inspection showed that the application site is located close to existing properties within Palmers Road. However, the impact of the proposed housing in terms of loss of outlook, light or privacy would be limited due to the separation distances between proposed and existing houses and intervening existing trees and hedgerows. Given these factors, it is considered that the proposed development would have little impact on properties within Palmers Road and Brocks Copse Road.

6.29 The northern boundary of 79 Palmers Road is formed by a low hedgerow and as a result, housing within the northern section of the site could result in a loss of privacy due to the overlooking of garden areas. However, the proposed housing for option 1 and closest to this boundary would be set 30m from the boundary of 79 Palmers Road. The housing would be set on the same alignment as properties within Palmers Road and as a result, primary windows would aspect away from garden areas and it is considered that distance and the indicative planting shown on the submitted plans would prevent a loss of privacy.

6.30 The layout plan for option 2 shows that the front elevation windows of two houses would look south and directly towards the garden that serves 79 Palmers Road. However, these houses would be set 45m north of the boundary and again, the indicative plans show tree planting that would mitigate any overlooking.

6.31 The proposed access to the site would align the boundary of 79 Palmers Road. However, the proposed tree planting would mitigate the visual impact of vehicles passing its garden and given the likely low level of traffic associated with the development, it is considered that the impact of vehicles entering and leaving the site on nearby properties would be low.

6.32 In terms of construction impact, any new development would be likely to result in some level of temporary impact upon neighbouring properties or the general tranquillity of the area during the development process. However, associated impacts would be for a limited, short-term period only and would not occur once the development has been completed. An appropriate condition has been recommended to minimise the impact as far as possible.

#### Trees and Ecology

6.33 The application site is not the subject of ecological designations but is within approximately 650m of the Solent and Southampton Water Special Protection

Area (SPA) and Ramsar site, the Kings Quay Site of Special Scientific Interest (SSSI) and various copses that are designated as Sites of Importance for Nature Conservation (SINC). The site is located a significant distance from these sites and as a result, would have no direct impact on the features for which they are designated.

- 6.34 The site is currently farmland, enclosed by well established hedgerows which contain mature trees and adjacent to a recently planted but well-established area of woodland, that is west of Palmers Road. The planning application is supported by a detailed ecology report, undertaken by suitably qualified ecologists. The report was informed by desk top studies of nearby designations and species records along with preliminary site surveys aimed at identifying protected species. The surveys identified a need for more specialist surveys for bats.
- 6.35 The bat surveys showed that the site is important for two species of bat, which use the woodland margins for commuting and feeding. The ecology survey advises that the layout for the development was informed by the results of the bat surveys, resulting in wide buffers and retention of all woodland habitat as well as new internal tree and scrub planting. The landscaping scheme would be designed to encourage beetle and moth populations, both important food sources for bats.
- 6.36 The on-site surveys showed that the site may provide limited refuge for reptiles given a number of existing rubble piles within the site. The site includes several small ponds, but surveys have shown that there are no Great Crested Newts at the site. The surveys also showed that the areas of the site to be developed are not suitable for nesting birds. However, surrounding hedgerows and woodland habitats are suitable for nesting birds.
- 6.37 The ecology survey highlights historic records of dormice within the Brocks Copse Road hedgerow. The approach adopted by the applicant's ecologist is to avoid potential impacts should there be dormice present, through retaining all existing woodland, hedgerows and trees and this approach would comply with the relevant wildlife legislation.
- 6.38 Badger surveys were also undertaken to inform the ecology survey and these showed no evidence of setts onsite but confirmed the presence of badger tracks around the perimeter of the site. These areas would be retained as 20m wide buffers in order to avoid impacts on badgers and to allow them to continue passing across the site. These areas would be protected during the construction process in order to prevent harm to this protected species.
- 6.39 The applicant's Ecology Survey sets out a range of other measures, which would combine with the above works, including:
- Any rubble piles to be removed by hand and reptiles found to be moved to a nearby quarry

- Areas suitable for reptiles to be restored, with perimeter buffers and planting provided to allow movement for reptiles
- An existing pool would be retained and improved to provide habitat for amphibians and invertebrates, combined with the above buffers
- Existing hedgerows and trees to be retained, with weaker hedges to be improved, retaining habitat for nesting birds
- Ground clearance would be undertaken outside of the breeding season to prevent impacts on nesting birds

6.40 While the site is not designated for ecology reasons, it is apparent that it either contains habitats for protected species or that species use the hedgerows, treelines and woodland margins indirectly for feeding and commuting. Several protected species are present at the site, although the areas to be developed are not suitable habitat given their use as farmland.

6.41 The submitted plans show that the site would comprise 20m wide landscape buffers, which would result in the retention of feeding and commuting areas as well as habitats for the wildlife and fauna that occupy the margins of the site. These existing areas, along with gardens, green spaces within the site and additional landscaping would result in a net increase in green infrastructure. The Council's Ecology Officer has supported the proposed buffer and confirmed that through management the integrity of existing woodland at the site can be maintained. The Ecology Officer has confirmed that both development options would be acceptable on ecological grounds.

6.42 The Bird Aware Solent guidance for the Solent Recreation Mitigation Strategy states that developments of one or more dwellings will be required to provide financial contributions towards the Strategy, to mitigate recreational impacts from new residential development within 5.6km of the Solent and Southampton Waters SPA. The applicants have agreed to enter into a legal agreement that would secure the required level of funding and therefore, the development is considered to comply with the requirements of the Bird Aware Strategy.

6.43 The Council's Tree Officer has commented that the area of the site proposed for housing has few if any trees. However, the site includes several trees around its perimeter that are predominantly a mix of deciduous trees seen as individuals, groups and woodlands. These are an important arboreal – sylvan asset to the rural character area. The area of most arboreal interest are the trees located on the Palmers Road boundary, made up mostly of mature or early mature oak trees.

6.44 The Council's Tree Officer has advised that, in the main there should be no direct impact to trees from the development itself, provided a robust Arboricultural Method Statement is adhered to. It is considered that this could be secured by condition. However, throughout the determination of the application the Officer raised concern that the proposed means of access from Palmers Road could result in the loss of mature oak trees, due to direct impacts to root protection areas.

- 6.45 The applicants have provided additional information in response to the Tree Officer's comments. The plans show that the proposed access would pass between two high amenity oak trees that contribute to the character of the area, however, the Tree Officer has confirmed that the additional information has demonstrated that the access arrangements would not encroach on the Root Protection Area (RPA) of the trees and therefore has not objected to the development.
- 6.46 The Tree Officer has advised that a method statement relating to the construction works should be provided, in order to control works close to retained trees. In conclusion, it is considered that based on the submitted information and the advice received from specialist consultees, that the proposed development would not compromise wildlife or high amenity trees and that as a result, the proposals would comply with the requirements of policies SP5 and DM12 of the Island Plan Core Strategy.

### Archaeology

- 6.47 The Council's Archaeological Officer advised that the development site lies within an area of known archaeological remains and these are recorded on the Isle of Wight Historic Environment Record (HER). Finds at the site include prehistoric flint tools and debitage, while to the north east and north west fieldwalking identified other prehistoric flint scatters, a burnt flint scatter, medieval pottery and occupation debris. When originally submitted, the application comprised no archaeological information and the Archaeological Officer advised that a programme of archaeological trial trenching be carried out prior to determination.
- 6.48 Following this advice, the applicants commissioned an archaeology report. The Council's Archaeological Officer has advised that the report has established that there are archaeological deposits present within the development site, including a number of undated features, a discrete area of later prehistoric features and linear features interpreted as medieval field boundaries. These are considered to be of local significance. The Officer has confirmed that the evaluation has demonstrated the likely location, distribution and nature of archaeological features and deposits across the site, as well as their likely state of preservation.
- 6.49 As a result, the Archaeological Officer has recommended that a programme of archaeological works is carried out during groundworks, the scheme of investigation of which will depend on reserved matters (i.e. the specific layout, landscaping etc.), details of below ground services and construction method. Provided these conditions are met, the proposed development would comply with policy DM11 of the Island Plan Core Strategy.

## Highway considerations

### *Highway safety*

- 6.50 When originally submitted, the planning application showed that the site would include two vehicle/ pedestrian accesses. The northern section of the site was shown to be accessed via Palmers Road, with the western housing via Brocks Copse Road. However, Officers and Island Roads raised concerns in relation to the safety of the Brocks Copse Road access and as a result, revised plans have been provided showing that the whole development would be accessed via Palmers Road.
- 6.51 The submitted plans show that an existing unsurfaced section of Palmers Road north of the junction between Palmers Road and Church Road would be upgraded. The plans show that an informal roundabout would be constructed of granite setts at the junction of Palmers Road and Church Road, with a further smaller roundabout to be provided 40m north and at the point of the site access. The road in between would be finished with block paving in order to create a shared surface, low speed environment. The applicant's Transport Statement reasons that the use of roundabouts and a shared surface would lower vehicle speeds and raise awareness.
- 6.52 The interior access arrangements would include 5.5m wide roads leading to the various individual drives to serve the proposed houses and the shared courtyard associated with the affordable housing. A turning head would be provided at the southern end of the internal access road, to allow larger vehicles, such as refuse lorries to turn and leave the site in forward gear.
- 6.53 The Island Roads Highway Engineer has raised no objection to the proposed development, confirming that the proposed access arrangements would comply with design standards. The Engineer has advised that internal access arrangements would allow both private and service vehicles (cars and lorries) to access and leave the site safely but has commented that the site should be engineered to promote low vehicle speeds and safe walking and cycling arrangements, along with suitable road widths for smaller and larger vehicles. Based on the submitted plans, the Transport Statement and space within the site, it is apparent that these measures could be achieved through detailed design and that conditions could be imposed to ensure the delivery of a suitable on-site scheme.
- 6.54 The Highway Engineer has raised no objection to the off-site arrangements proposed for Palmers Road and Church Road, commenting that the proposed shared surface, informal environment is set out within Manual for Streets and Manual for Streets 2.
- 6.55 The Highway Engineer has reasoned that while a single point of access to the site could promote dependence on the private motor vehicle, it would not provide a standalone or sustainable highway reason for refusal of the proposals. This is because, while the proposed access arrangement would not



provide a specific pedestrian link it would incorporate a shared surface design guidance, promoting low vehicle speeds while still enabling private / service vehicles and pedestrians to safely access the site. Thus, the design of the proposed off-site access arrangements would allow all road users to access the site.

- 6.56 The Highway Engineer has commented that in order for fire tenders to access the site, road widths should be at least 3.7m in width, but design standards highlight that over short distances widths can be decreased to 2.75m. The plans show that approximately 20m of Palmers Road (adjacent to 79 Palmers Road) would narrow to 3.1m in width. The Highway Engineer has advised that comments should be sought from the Fire Service in this respect however, it should be noted that this section of road would measure 3.1m in width, thus exceeding the minimum width of 2.75m and clearly, at 20m in length could be considered a short distance.
- 6.57 The Highway Engineer has advised that the upgrading works for Church Road should extend to the western boundary of 82 Church Road. The applicants have agreed to these works and therefore, they could be secured by condition. In conclusion, it is considered that the proposed accessed arrangements for the site would comply with design standards and that as a result, the development would comply with the requirements of policy DM2 of the Island Plan Core Strategy.

#### *Accessibility and capacity*

- 6.58 The application site is located north of Wootton Bridge and away from the services and facilities within the High Street. However, Palmers Road and the surrounding estate roads offer safe pedestrian and cycle access from the site to the High Street, which is approximately 1km from the site. The Wootton Bridge & Whippingham Walking and Cycling Environment Report (2018) assesses the suitability of pedestrian and cycling routes throughout the two Parishes, with reference to the housing estate that is north of Wootton Bridge.
- 6.59 The report assesses the suitability of roads for cyclists of all abilities, providing scores listed as follows:
- All users
  - Most users
  - Able users
  - Confident users
  - Very confident users

The report shows that most of the estate roads between the site and the High Street are suitable for most users or able users, with various routes available for cyclists of differing abilities.

- 6.60 In terms of walking, the report highlights areas around the estate that are devoid of crossing points, including the junctions of Palmers Road & Footways,

Footways, Holford Road and Norman Way and within Church Road. The Highway Engineer has noted several of these areas within the highway comments and recommended that off-site highway works are secured to provide a range of uncontrolled tactile crossings in six locations, as listed below:

- Northern end of Palmers Road
- Junction of Palmers Road and Brocks Copse Road
- Junction of Palmers Road and Footways
- Junction of Holford Road with Footways
- Junction of Norman Way with Footways
- Junction of Church Road with Footways

6.61 The applicants have discussed the reasonableness for the development to contribute to allow of the above crossing points, based on their proximity to the site. The applicants have agreed to the first three crossing points and Officers consider that given their proximity to the site these works would aid pedestrian access to local facilities. However, the applicants have averred that the final three junctions are distant from the site and that as a result, they are not relevant to the development and that it would not be reasonable to require the development to fund them. Officers agree that the final three crossing points are not directly related to the development, given their distance from the site and therefore, given the advice within the NPPF relating to planning obligations and conditions, it would not be reasonable to require the applicants to carry out these works.

6.62 Officers consider that the application site is located within a sustainable location, allowing pedestrian and cycle access to the services and facilities within Wootton High Street. The High Street comprises a good range of local facilities, with several shops, public meeting places and a range of restaurants/public houses. The High Street is also served by a regular bus route and these facilities are within approximately 1km of the site, which is considered to be a reasonable walking distance. Therefore, the site would be suitably accessible for a range of transport options in compliance with policies SP7 and DM17 of the Island Plan.

#### *Traffic capacity*

6.63 A large number of the public comments have referred to traffic capacity and highway safety issues. Many of these focus on Brocks Copse Road although it should be noted that access to the site would no longer be gained via this route. It is apparent that the proposed means of access would comply with design standards and therefore, the access arrangements for the site would be safe.

6.64 In relation to highway capacity, the applicants have provided a Transport Statement which predicts that the development would generate 201 traffic movements per day, with 22 during peak AM hours and 23 during peak PM hours. The Island Roads Highway Engineer has concluded that this level of traffic generation would not result in a negative impact on the capacity of the

highway network. Therefore, it is considered that the development would not compromise wider highway safety.

### *Parking*

- 6.65 The Council's Guidelines for Parking Provision as Part of New Developments SPD defines the application site as being within Zone 2 for parking measures. As a result, the following guidelines should be met:

1 car space per 1 – 2-bedroom unit  
2 car spaces per 3 – 4-bedroom unit  
3 car spaces per 5 bedroom or greater unit  
1 covered cycle space per unit

The submitted plans are currently in outline however they demonstrate that each unit would benefit from sufficient space to provide the level of parking capacity required by the SPD.

### Other matters

- 6.66 Members of the public have raised concerns in respect of the impact of the development on local services and facilities such as doctor's surgeries, the local school and drainage capacity.
- 6.67 Prior to the Core Strategy being adopted a number of consultation processes took place with key stakeholders to establish that the recommended number of units required over the plan period could be accommodated. This application is in line with the overall number.
- 6.68 In terms of flood risk, the application site is located within flood zone 1 and therefore, at the lowest risk of flooding. The site occupies a relatively elevated land level within the wider area and therefore, is not likely to be at threat from a flood event. Moreover, any potential surface water management could be considered at reserved matters stage in order to prevent excessive water run off during periods of high rainfall. With this in mind, it should be noted that the geology surrounding this area of Wootton is suitable for SUDs given the underlying layers of gravel. A condition has been recommended to deal with the detailed schemes for both foul and surface water drainage.
- 6.69 The applicants have agreed to relocate a section of the public right of way within Brocks Copse Road, to a section of farmland. This would see a new 600m section of footway relocated to the internal boundary of a field that is north of the highway, removing walkers from a section of the highway that is narrow, enclosed by trees and that lacks visibility. The Council's Rights of Way Manager has supported the proposals, subject to a detailed design scheme being provided should the outline planning application be approved. Officers consider this to be a substantial public benefit, through removing pedestrians from a section of the highway.

6.70 Members of the public have raised concerns that the development would result in the loss of farmland. National planning policies aim to protect the best and most versatile farmland (grades 1 and 2) in order preserve food security, however the DEFRA land classification maps confirm that the land in this area is grades 3 and 4 and thus, not subject to protective policies.

6.71 Members of the public have also referred to the potential for the development to prevent extraction of minerals. The site is within a Minerals Safeguarding Area however, the Council's maps show that much of the site is outside of the designation and that a small proportion of the overall designation would be impacted on as a result of the development. Therefore, it is considered that the development would not prejudice the winning and working of minerals at the site or prevent future works from coming forward.

## **7. Conclusion**

7.1 The application site is located outside of but immediately adjacent to the settlement boundary for a Rural Service Centre. It is considered that the application site is within a sustainable location for new housing development and the proposals would contribute towards the delivery of housing, in accordance with policies SP1 and SP2 of the Island Plan Core Strategy.

7.2 The provision of residential development on this site would be acceptable and would not result in an unacceptable level of impact when considering the relationship between the site and surrounding character of the area including the wider landscape and visual impact. The scheme would therefore be acceptable in relation to the character and appearance of the area and would accord with policies SP5, DM2 and DM12 of the Island Plan.

7.3 It is considered the scheme would not have an unacceptable impact on the amenities of neighbouring residents, highways infrastructure, or features of environmental interest, thus the proposals would accord with the requirements of policies SP5, SP7, DM2, DM11, DM12 and DM17 of the Island Plan.

7.4 Having given due weight and consideration to all comments received in relation to this application and for the reasons set out above, the proposal is considered to comply with the requirements of the policies listed within this report. Therefore, it is recommended that the development is approved subject to conditions and the prior execution of a legal agreement.

## **8. Recommendation**

8.1 Condition permission subject to conditions and the signing of a legal agreement.

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

9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on

solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following way:

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 application was deficient in information relating to means of access and the impact of the development on trees and archaeology. Further information was provided during the course of the application that overcame the Council's concerns.

### Conditions/Reasons

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

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

- 2 Before any works or development hereby approved is commenced on site details relating to the layout, scale, appearance and landscaping of the site shall be submitted to and approved by the Local Planning Authority. These details shall comprise the 'reserved matters' and shall be submitted within the time constraints referred to in condition 1 above before any development is commenced.

**Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The development hereby permitted shall be carried out in complete accordance with the details shown on the submitted plans, numbered below, except where varied by any other conditions of this permission.

PL01-001 rev D  
PL01-002 rev D  
PL01-003 rev D  
PL01-005

**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.

- 4 No part of the dwellings hereby approved shall be constructed above foundation level until samples of the materials and finishes including mortar colour, brick detailing, bargeboards and rainwater goods etc 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.

- 5 No boundary treatments or bin stores shall be installed until details have been submitted to and approved in writing by the Local Planning Authority of the positions, design, materials and type of boundary treatment and bin stores to be erected. The boundary treatments and bin stores shall be completed before the development hereby permitted is first brought into use. Development shall be carried out and maintained in accordance with the approved details and retained thereafter.

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

- 6 No external lighting shall be installed until details of means of external lighting for the development have been submitted to and agreed in writing by the Local Planning Authority. Details shall include measures to minimise light pollution and to prevent glare. Development shall be carried and maintained out in accordance with the agreed details and be retained thereafter.

**Reason:** To protect the amenities of nearby residential properties, to prevent light pollution from harming the character of the surrounding area and the nearby nature reserve and to comply with the requirements of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 7 No soft landscaping works shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping in accordance with the principles shown on the approved plans and supporting information. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. All planting in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the approved development and any trees or

plants which within a period of 5 years from the commencement 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 the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure the appearance of the development is satisfactory, to provide suitable habitat buffers and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 8 No external hard surfaces shall be installed until samples of the materials to be used to form the hard surface areas within the development site including any pathways, vehicle access and turning areas shall be submitted in writing and approved 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 No development shall take place until a scheme for the drainage and disposal of surface and foul water from the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the occupation of the units hereby permitted.

**Reason:** To ensure that the site is suitably drained, to protect ground water and watercourses from pollution and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy. This is a pre-commencement condition due to the early stage at which the drainage system would need to be installed.

- 10 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. The agreed method statement will then be adhered to throughout the development of the site.

**Reason:** 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. This is a pre-commencement condition due to the requirement to protect trees at all stages of site works.

- 11 No development shall take place until the applicant or their agents has secured the implementation of a programme of archaeological works 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. This is a pre-commencement condition because impacts on archaeology are associated with the groundworks stage of the development.

- 2 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.

- 13 No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the location of the site compound, parking, turning and delivery spaces for construction traffic, the access route to be used by construction traffic, steps to prevent material being deposited on the highway, the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Once approved, the Construction Environmental Management Plan shall be adhered to at all times during the construction phase.

**Reason:** To prevent annoyance and disturbance to nearby properties from the development and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy. This is a pre-commencement condition because the aim of the condition is to ensure that the construction phase is managed in a suitable manner.



- 14 The development hereby permitted (excluding site clearance works) shall not commence until details of the new off-site highway works within Palmers Road and Church Road have been submitted to and agreed in writing by the Local Planning Authority, based on the principles shown on drawing number 19841/4 Rev B dated October 2017 to include for all associated kerbing, road markings and signage and street lighting. The approved highway works shall be constructed in accordance with the approved details and a phasing plan that shall be submitted to and agreed in writing by the Local Planning Authority, setting out the extent of works to be undertaken to provide a safe means of access for construction traffic and the stage at which the full scheme of highway works shall be completed.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy. This is a pre-commencement condition to ensure that a safe means of access is provided for all stages of the development.

- 15 The development hereby approved shall not commence (excluding site clearance works) until details of the design, surfacing, and construction of any new on site roads, footways, accesses and car parking areas, together with details of the means of disposal of surface water drainage there from have been submitted to and approved in writing by the Local Planning Authority to provide for a minimum onsite principal shared surface access road width of 5.0m and space within the site for the parking and turning of private and service vehicles. The approved works shall be undertaken in accordance with the approved details prior to the occupation of any dwelling hereby permitted.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy. This is pre-commencement condition due to the stage at which access roads would need to be constructed.

- 16 The development hereby permitted (excluding site clearance) shall not begin until details of the sight lines to be provided at the junction between the site access and the highway (giving rise to minimum splays of  $X = 2.4\text{m}$  by  $Y = 25.0\text{m}$ ) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the agreed sight lines have been implemented in accordance with the approved details. The sight lines shall be retained thereafter and nothing that may cause an obstruction to visibility shall at any time be placed or be permitted to remain within the visibility splay shown in the approved sight lines.

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

- 17 No dwelling hereby permitted shall be occupied until space has been laid out within the site and drained and surfaced in accordance with details that have been submitted to and approved in writing by the Local Planning Authority in writing for cars/bicycles to be parked at a level reflective of Appendix 1 Table 1 of the Parking Provision as Part of New Developments SPD and providing space

for private and service vehicles to turn so that they may enter and leave the site in forward gear. The spaces 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.

18 No dwelling hereby approved shall be occupied until highway improvements in the form of uncontrolled tactile pedestrian crossing points and all associated works have been provided at the following locations in accordance with details to be submitted to and approved in writing by the Local Planning Authority;

- Northern end of Palmers Road.
- Palmers Road on the high side of the Brocks Copse Road junction.
- The junction of Footways with Palmers Road.

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

19 Prior to the occupation of the dwellings hereby approved details of works to form a new footpath link to align the northern boundary of Brocks Copse Road as shown on drawing number PL01-009 rev A shall be submitted to and agreed in writing by the Local Planning Authority in writing. The details shall include the location/ route of the new footpath along with means of construction and final surface materials. The footpaths shall be at least 2.5m in width. Development shall be carried out in accordance with the agreed details and the new and upgraded footpaths shall be completed prior to the occupation of the dwellings hereby approved.

**Reason:** In the interests of highway safety, to provide safe access to the footpath network and nearby facilities within the village and to comply with policies DM2 (Design Quality for New Development), DM17 (Sustainable Travel) and SP7 (Travel) of the Island Plan Core Strategy.

20 The development hereby permitted shall be carried out in strict accordance with the recommendations set out within the submitted Ecological Impact Assessment and Bat Report in conjunction with the details agreed via condition 7 of this decision notice.

**Reason:** To avoid impacts to, and to ensure the favourable conservation status of protected species and habitats, in the interests of the ecological value and visual amenity of the area and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

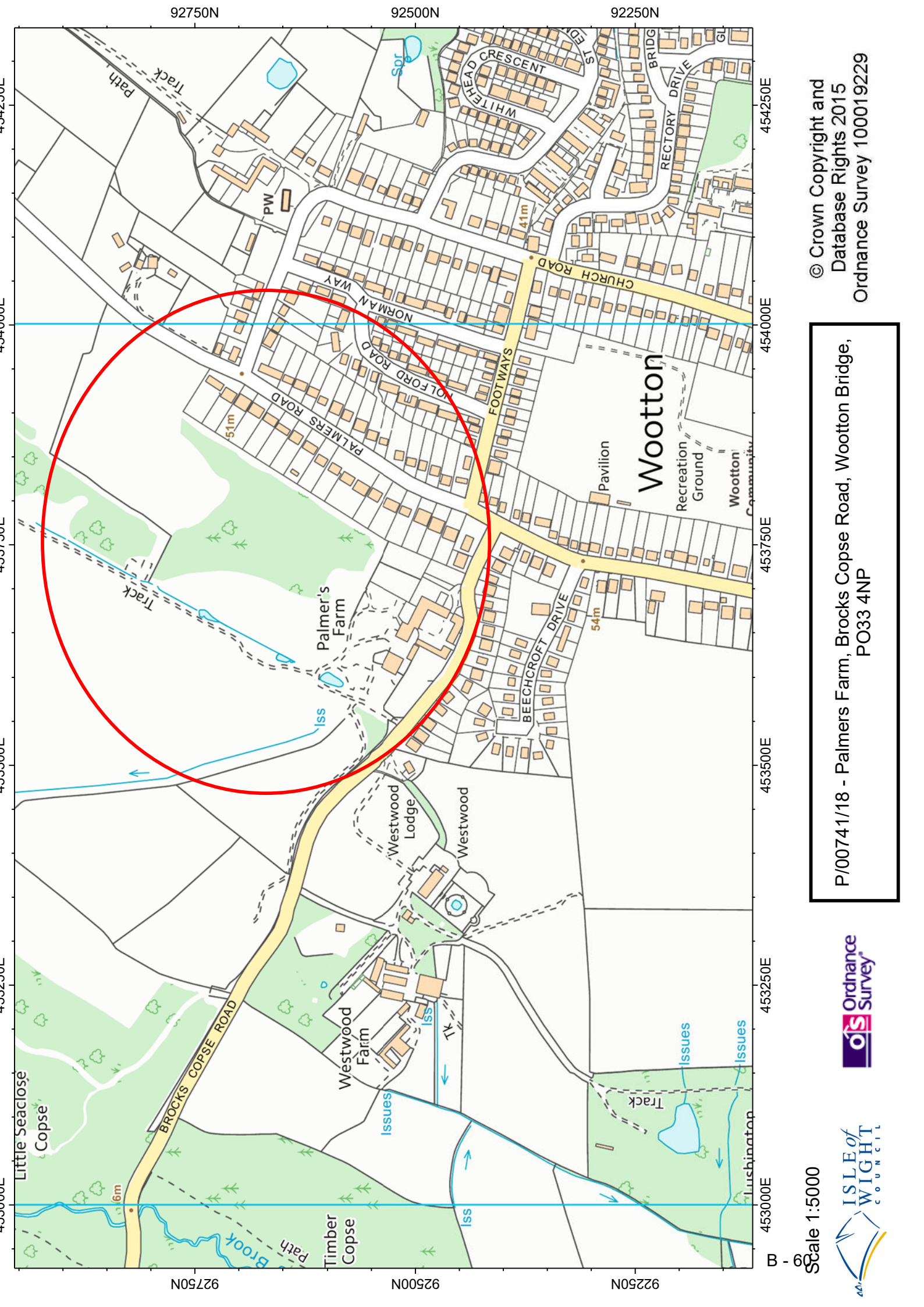
21 Prior to the occupation of the first dwelling at this site a Management Plan including the management responsibilities and maintenance schedules in

respect the areas of open space and the balancing pond has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to thereafter in accordance with the agreed details.

**Reason:** To protect the visual amenity of the site and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

22 The development hereby permitted shall not be accessed by pedestrians or vehicular traffic via the existing farm access that adjoins Brocks Copse Road.

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



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P/00741/18 - Palmer's Farm, Brocks Copse Road, Wootton Bridge,  
 PO33 4NP



Scale 1:5000

92750N

92500N

92250N

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454250E

454000E

453750E

453500E

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**Reference Number:** P/01361/18 TCP/33468

**Description of application:** Demolition of existing buildings and structures; proposed retail park of up to 9507 m<sup>2</sup> GEA (9167 m<sup>2</sup> GIA) to include A1 and D2 uses, and drive-through restaurant (A3/A5 uses); associated car parking (289 spaces), service areas, new vehicular and pedestrian access, landscaping, and associated development.

**Site Address:** Newport Football Club, St. Georges Park, St. Georges Way, Newport, Isle of Wight, PO302QH

**Applicant:** South Coast Leisure Ltd

**This application is recommended for conditional permission**

### **REASON FOR COMMITTEE CONSIDERATION**

This application is of Island-wide significance and raises a balance of policies issues.

### **MAIN CONSIDERATIONS**

- Consideration of the sequential test and retail impact
- Principle and acceptability of the relocation of the Football Club
- Highway matters
- Impact on neighbouring properties
- Visual impact, including layout scale and appearance
- Impact upon a nearby listed building
- Other matters

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

- 1.1. The site covers an area of 2.53 hectares and is located on the eastern side of St. Georges Way approximately 125 metres south of St. Georges Way Roundabout. The site boundary includes St Georges Park (Newport Football Club) stadium and club house. The northern, eastern and western boundaries follow the existing extent of the Football Club. The southern boundary is delineated by Godric Road (the new road leading from St. Georges Way into Pan Meadows) and associated balancing pond. The area to the east between the site and Pan Lane is outside of the application boundary 'red line' but is outlined in blue, as the applicant has control or an option over this land.
- 1.2 The area surrounding the site is generally of mixed character appearing transitional between the rural outskirts of Newport and the town itself.

- 1.3 The existing site sits above the level of St. Georges Way and continues with a general slope eastward, although the pitch itself is on a level plateau. The building on site is two-storey constructed of red brick to the ground floor and green metal cladding above. From St. Georges Way the building has a somewhat industrial appearance with the rear elevation containing seated stands.
- 1.4 The majority of the site boundaries are delineated by natural growth, with the exception of the southern boundary which runs along the edge of the new highway.

## 2. **Details of Application**

- 2.1 The application seeks consent to demolish the existing clubhouse and construct a retail and leisure estate with associated access and parking.
- 2.2 The proposed estate would accommodate 9167m<sup>2</sup> (GIA) of commercial/ retail floorspace to include A1 (retail), D2 (assembly & leisure) and A3/A5 (restaurants and cafes/hot food takeaway). These would be in the form of two separate buildings; a large building accommodating five units, to be located in the northern part of the site and a small standalone building close to the southern boundary, this smaller building would accommodate the proposed A3/A5 use in the form of a drive-thru restaurant.
- 2.3 As outlined above the larger building would accommodate five units serving retail warehousing, a discount food-store and the potential for a gym or leisure or retail use. The individual units would be of the following gross internal area:

Unit	Proposed GIA floor-space in sq. m.	Proposed use
Unit 1	2,323 (+697)	Retail warehouse (external garden centre)
Unit 2	697 (+ 232 mezzanine)	Flexible space retail/leisure
Unit 3 and 4	4,929	Retail warehouse
Unit 5	1,782 (1,315sqm sales area and 467sqm storage, staff and office facilities)	Discount foodstore

*Officers have identified that there are very minor discrepancies between the size areas listed in the submitted details and the scaled plans. However, the differences are around 11 square metres, representing 0.2m in the length and width, which is considered to be minor and could be a result of the printing process. The inclusion of a condition restricting the floor areas to those details*

*in the submission would overcome any future confusion in respect of these dimensions.*

- 2.4 This largest building would be constructed of red brick, timber and grey cladding with areas of glazing to the western and southern elevations (facing St. Georges Approach and the proposed car park). The main part of the roof, over units 1 – 4, would be flat, with an overhang incorporated to the front and part of the side (west), to add articulation. The roof over unit 5, the proposed food store, would step down and incorporate a mono-pitch, which would see the height reduce to the boundary with the adjacent field to the east. This building would be a maximum height of 9.2 metres over the flat roof section, reducing to 5.4 metres to the curved roof of the proposed food store. The building would have a maximum length of 133 metres, running along the northern part of the site, and a maximum depth of 76 metres, including the proposed garden centre, which would appear as a low brick wall with a wire mesh fence.
- 2.5 The smaller building would accommodate a drive-thru restaurant with a GIA of 416 sqm. The building would have a distinctively different design. This building would have a depth of 12.6 metres and a length of 41.5 metres. The building would be constructed of natural stone, glazing, timber style and green cladding. Although the building would have a flat roof the proposed design would see the incorporation of a louvered 'folded roof' detail, which would add interest and articulation to the profile of the building.
- 2.6 It should be noted that since the application was submitted the future operator of the gym has withdrawn from the site, due to permission having been granted for two other 24-hour gyms within Newport. As a result of this change it is proposed to make unit 2 a more flexible space, which could be used for leisure or retail. The originally proposed mezzanines have therefore been reduced in unit 2 and removed from units 3 and 4 to ensure that the overall proposed retail floor area would be unchanged from the original submission should this space be used for retail. This total retail floor area would need to be conditioned.
- 2.7 Access to the site would be gained off Godric Road (the new spine road through Pan Meadows), 115 metres from the new 'Asda' roundabout. The layout would provide for 289 parking spaces, between the two buildings, providing for customers and staff, to include 15 disabled bays and 12 parent and child bays. Space would also be provided for 88 bicycle parking spaces.
- 2.8 The proposed development would also include for a footpath on the inside of the field boundary abutting Pan Lane, to remove pedestrians from the active carriageway at its narrowest point.

### **3. Relevant History**

- 3.1. P/00944/12: Proposed new foodstore with associated petrol filling station, car parking, landscaping and access; provision of new roundabout on St.

Georges Way and new spine road off Pan Lane (corrected site address) (Re-advertised application due to the submission of a supplementary retail assessment with appendices, addendum to transport assessment, potential improvements to existing pedestrian routes, addendum to sequential test, tree removal and protection plan, roof mounted plant layout, revised design and access statement and revised plans)(revised description) at land adjacent to and south of Newport Football Club, St. Georges Way, Newport.

- 3.2 Although not relating to this site the following application is essential to the proposed development:

P/01573/17: Proposed football ground, grandstand and floodlights, clubhouse and associated road and parking was approved in May 2019.

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

National Planning Policy

- 4.1. National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration when determining applications. At the heart of the NPPF is a presumption in favour of sustainable development.

- 4.2 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

- 4.3 In the context of this application the NPPF provides clear guidance on the required application of the sequential test for town centre uses and the requirement that these are, in the first instance located within town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. It also states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

Section 8 of the NPPF is titled 'Promoting healthy communities' and within this section at paragraph 97 it states that existing open space, sports and recreational buildings and land, including playing fields, should not be built unless specific circumstances apply. One such exception is where the loss



resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

#### Local Planning Policy

4.4 The Island Plan Core Strategy defines the application site as being outside the settlement boundary of Newport but within the Medina Valley Key Regeneration Area boundary. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP3 Economy
- SP5 Environment
- SP6 Renewables
- SP7 Travel
- DM1 Sustainable Build Criteria for New Development
- DM2 Design Quality for New Development
- DM7 Social and Community Infrastructure
- DM8 Economic Development
- DM9 Town Centres
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM13 Green Infrastructure
- DM14 Flood Risk
- DM17 Sustainable Travel
- DM22 Developer Contributions

4.5 Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (2017)

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

#### Internal Consultees

5.1 Environmental Health have confirmed that there would be no impact from noise, light or air quality, subject to conditions.

5.2 The Council's Tree Officer has raised concerns that the landscaping scheme does not provide for sufficient mitigation for the visual impact on the Public Right of Way to the east of the site, following removal of existing trees.

5.3 The Council's Emergency Management Team raise no objection to the application on the grounds of flood risk.

5.4 The Council's Archaeological Officer has requested that conditions be attached to any approval.

5.5 The Council's Ecology Officer has confirmed that an Ecological Impact Assessment (Arc, December 2018) provides a comprehensive review of the ecological impacts associated with the proposals. The report recommends a suite of avoidance, mitigation and compensation measures to ensure wildlife and designated sites are conserved. Subject to a condition to ensure that the recommendations set out are adhered to if the development goes ahead the would be no objection to the application.

5.6 The Council's Public Rights of Way Officer has confirmed that they support the new cycle/pedestrian route running parallel with Pan Lane. They also however seek a contribution towards improvements to footpath N9 and for Pan County Park.

#### External Consultees

5.7 The Environment Agency have confirmed that they have no objection to the application.

5.8 Island Roads have confirmed that they are satisfied with the majority of the works proposed, although they would wish for a full design of the footpath off Pan Lane, and for the development to provide this in its entirety.

5.9 Sport England have raised no objection, subject to a Section 106 Agreement or condition linking the implementation of this permission and the delivery of the new pitch off Racecourse.

#### Parish/Town Council Comments

5.10 Newport and Carisbrooke Parish Council objects to the application on grounds that can be summarised as follows:

- Contrary to DM9 as it would be detrimental to the viability of the town centre
- Site is outside of the town centre boundary
- Application does not meet the sequential test, given that there are similar sized units available within the town centre boundary

#### Third Party Representations

5.11 15 letters of objection have been received by third parties, including Cycle Wight. In content of which can be summarised as follows:

- Proposed scheme will compete more directly with the town centre than the scheme previously approved on this site, as this was for a large-scale food store only.
- would represent a significantly greater area of floorspace than previous scheme on site.
- Significant impact on the town centre

- The area has Limited Assortment Discounter (LAD) food stores and other stores have also adapted to this model and are therefore already available in the catchment.
- It is unclear how the LPA would control the food retail to a discount food retailer.
- TA lacks information and does not reflect good practice guidance.
- TA relies on previous application
- No information on how traffic flows have been derived
- No traffic flows for the Saturday peak period
- TA provides no analysis of the effects of the development at any other junction or link on the highway network.
- Sequential test does not assess the potential to extend those sites it discounts on size grounds.
- No conclusions are drawn on the percentage impact on the town centre
- Proposed out of centre retail would draw visitors from the town centre having an adverse impact on the centre's viability and vitality.
- Proposed garden centre has not been included within the impact assessment of A1 comparison retail
- Assessment does not take into account the cumulative impact of the adjacent Asda store in terms of impact on Newport Town Centre, the conclusions of the assessment is therefore not complete and cannot be relied on.
- Consider a needs assessment is still required.
- IOW Retail Study does not consider that there is capacity for additional convenience goods retail in Island towns (with the exception of Cowes and Sandown). The assessment identifies that most of the existing food retail stores are currently under trading, which suggests that there is currently an overprovision
- Limited demand for national retail operators seeking further presence in Newport.
- Does not comply with policy SGOE7 of the Island Planning Strategy.
- IOW Retail Study suggests a requirement of between 3,300 – 5,800 sqm net by 2023. The current proposal seeks 9,167 sqm.
- Impact assessment only assessed to 2023, which is not sufficient period for 'mature' trading pattern.
- Current application cannot be approved until the permission for the relocation has been issued.
- TA does not include proposals to improve links to the town centre
- Travel plan focuses on reducing current level of single occupancy car trips without identifying any measures as to how this can be achieved.
- Insufficient parking
- Inconsistencies in terms of the recommended mitigation measures within the Ecological Impact Assessment and the landscaping plan.
- Already too many supermarkets on the Island.

- Additional traffic generation will create gridlock, increasing air pollution and impacting on health
- Council own some of the land and should not therefore determine the application
- Issues of employment have no relevance to the planning process.
- Other uses of the land would be of more value to the community e.g. fire/ambulance station, repair and maintenance of police vehicles, car park or allotments).
- Question 23 and 24 on the application have not been completed.
- A desk top study for archaeology is inadequate
- Outside of the development envelope of Newport
- Air pollution from increased traffic
- The steps and ramp entrance need to be separated as they cause a conflict between bus users, wheelchair users and cyclists.
- The ramp is of an unacceptable width and should be wide enough for two wheelchairs to pass
- The hairpin bend in the ramp is too tight
- From the top of the ramp/steps users are funnelled into a narrow path.
- The scheme does not include any improvement to Pan Lane.
- Impact on the High Street
- Contrary to SP7 and DM17, Island Transport Plan and the NPPF. As the development will increase car dependency and use and negatively impact on sustainable transport options.
- Would result in another out of town retail park to Newport, which already has several. This approach is spatially inefficient with each development including a large car park. The inclusion of a drive-thru would further underline the car-based nature of the development.
- Plans show no provision for a cycle crossing of the proposed entrance and the pedestrian rout adds a c.20m detour for pedestrians.
- Conflict between different highway users.
- Cycle and pedestrian access appears to have been shoehorned around car parking.
- No clear cycle route is provided to unit 6.
- Cycle parking for unit 2 and 6 are not in accordance with the SPD.
- Long stay car parking for employments is ill-defined.
- The spaces in front of units 1 – 5 appear inadequate to allow for comfortable pedestrian's movements.
- No offsite improvements are proposed to walking and cycling infrastructure.
- Accessibility to Pan is very poor.
- Cyclists should not have to dismount when entering the car park
- Will not help the island as a whole
- We should stop the spread of fast food outlets

- The site could be kept as an asset to the community if the club themselves operational.
- Would be better to build on larger Fairlee Road site to fund refurbishment of existing site with a gym.
- Impact on stream from additional run off and drainage
- Need
- Impact on listed building
- Impact on residential amenity from light pollution, signage, delivery vehicle noise and trading and delivery hours.
- Smell, litter and anti-social behaviour from drive-thou
- Impact on Newport businesses
- Potential additional jobs should be off-set against potential further job losses.
- People will not park here and walk into town.
- Development will add to existing congestion with increased traffic fumes affecting air quality.
- Increase in traffic down Pan Lane.
- Impact from noise, light, air pollution and waste generated during and after construction on residential amenity
- Increase in air pollution and congestion from additional traffic
- Should not be a 24/7 site
- Impact on policing
- Flood risk
- Impact on the eco-system from the loss of green fields
- 24/7 gym would prevent barriers in car park to stop anti-social behaviour
- Litter
- Impact of signage and light spillage
- How will they ensure awareness of the Travel Plan
- How will they demonstrate best practice in terms of sustainable travel (measures)
- How will they minimise travel by private car and maximise the use of alternative sustainable transport
- How will it prevent congestion
- Impact on wildlife

5.12 13 letters of support have been received, including comment from the Chamber of Commerce and Newport (IW) Football Supporters Society. Comments received can be summarised as follows:

- Would see the creation of 200 new jobs.
- Would widen the choice of Newport's appeal.
- Car park will allow people to park and walk into town.
- Discount food store will be ideal for those that live locally

- Car parking will allow people to park and walk into town, avoiding Newport congestion and parking charges.
- Will create 200 jobs once open and construction jobs here and at the new Football Club site.
- The funds raised will be spent on a new football stadium which will ensure the future of the club as well as providing a community hub.
- Newport High Street is dying because getting into Newport is inconvenient, due to the transport network
- Jobs
- Newport is in need of larger commercial development
- The project is vital to the future of Newport Football Club.
- Need for further commercial development to provide residents with greater retail variety in order to compete with the mainland.
- Support locally economy
- There is no space in Newport to support expansion
- Gym is welcomed
- Newport currently has insufficient large retail outlets. The development would allow larger store that cannot be accommodated in the high street, allowing the high street to be utilised for small shops and eateries making it a social hub.
- Development and relocation will allow the club to continue to play.
- New ground must be provided first
- The new site should include security of tenure for NFC
- Boost to the local economy
- Will bring more people into the town centre due to the number of parking spaces
- Providing trees on St. Georges Site are preserved the environmental impact will be minimal
- Would bring more national companies to the Island which will provide more jobs

## **6. Evaluation**

### Principle and acceptability of the relocation of the Football Club

- 6.1 The proposed development would result in the construction of the new retail and leisure complex on the existing football pitch, clubhouse and parking area at St. Georges Park. In order to mitigate for the loss of the existing community facility it is proposed to relocate the football club facility to the recently approved site at the Racecourse. Policy DM7 outlines that the Council will only permit the loss of existing social and community infrastructure<sup>1</sup>, when it can be demonstrated that the facility is no longer needed for its original

<sup>1</sup> Social and community infrastructure includes schools and other educational facilities, hospital facilities, health centres, GP surgeries, dentists, childcare premises, libraries and other cultural facilities, community halls, day centres indoor and outdoor recreation and sports facilities.

purpose or viable for any other community use; or an alternative facility will be provided in a location with at least an equal level of accessibility for the community it is intended to serve. The proposed development complies with the latter part of this policy. It is acknowledged by officers that the Racecourse site may not be as accessible as the current site for those living in Newport, but St. Georges Park is not solely the home of Newport football Club but could serve a wider community benefit for the central and east Wight in its proposed new location.

- 6.2 The principle of the re-location of the football club, albeit to an alternative site, was accepted during the determination of the previous application for the re-development of this site.
- 6.3 Sport England have confirmed that the Racecourse site provides a suitable alternative provision but wish to be consulted on the final wording of the requirement within the legal agreement. It has been agreed between officers, Sport England and the applicant that the legal agreement would need to require the Racecourse site to be completed prior to this site become operational, if approved.
- 6.4 In light of the above the application is considered to comply with policies DM7, DM13, the principles outlined within the NPPF, by ensuring that the proposals provide for an appropriate replacement facility to mitigate for the loss of the existing football club.

#### Consideration of the sequential test and retail impact

- 6.5 The council commissioned specialist consultants WYG to undertake an appraisal of the retail planning policy matters relevant to this application. Their final report and its conclusions form part of the below section. The retail floor space outlined within paragraph 2.3 has been used to consider the level of impact, together with the split between comparison (non-food) and convenience (food), including for a percentage of ancillary use as allowed for within the proposed conditions.
- 6.6 Policy DM9 sets out that “new retail development will be expected to be located within the Town Centre Boundary before edge-of-centre and out-of-centre sites are considered. Any proposal for retail development which falls outside of the identified town centre boundaries will be assessed on a sequential and impact basis as outlined in national policy.”
- 6.7 The NPPF states that planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead.....where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre...”

### *The sequential test*

- 6.8 The application has been supported by a sequential test, which considers whether any vacant sites in sequentially preferable locations would be suitable, viable and available to accommodate the development. It should be noted, when undertaking such an assessment it is only necessary for the test to demonstrate whether the proposed development, in its entirety could be accommodated on an alternative site. When looking at a development of the scale proposed it is not possible to require the separate elements to be disaggregated and therefore an assessment of whether the individual units could be accommodated in vacant units within the town centre, but instead the entire retail complex. This was confirmed in the Warners Retail Court of Appeal judgement<sup>2</sup> and by the Secretary of State in his decisions on Rushden Lakes, Northamptonshire<sup>3</sup>; Scotch Corner, North Yorkshire<sup>4</sup> and most recently on Cribbs Causeway<sup>5</sup>. The applicant must demonstrate flexibility, but this relates more to the number and location of car parking spaces, floor layout and configuration opposed to the principle of the retail offer itself.
- 6.9 On this specific matter and of relevance in the current case, the Inspector commented in the Cribbs Causeway in his conclusions:
- 'In the Tollgate Village case the Inspector did consider that there was scope for disaggregating the proposals and spreading them onto different sites, even though ultimately such sites were found not to be available. However, the findings here were case specific and it is noted that they were not specifically endorsed by the Secretary of State in his decision. As a general principle an approach that involves disaggregation does not seem to me to fit well with the Aldergate Properties or Warners Retail judgements referred to above. The town centre uses in the application proposal would comprise the retail and leisure uses and to divide them up would change the broad nature of the development in this case.'* (#568, APP/P0119/V/17/3170627)
- 6.10 The submitted sequential test together with an additional assessment undertaken by WYG has adequately demonstrated that there are not sequentially preferable sites within the town centre or on the edge of the town centre which could accommodate the development as proposed. Officers acknowledge that there are vacant retail warehouses on the outskirts of Newport (PC World and Mothercare) and vacant premises in the town (such as the former Brighthouse and HMV buildings) however these are not of a scale which would accommodate the proposed development in its entirety, even allowing for significant flexibility, as required by national policy.
- 6.11 The sites identified in the sequential assessment range in size from 0.1ha to 0.4ha; collectively, they amount to only 0.7ha. Given the proposed development comprises a site of 2.5ha (with the building floorspace occupying

<sup>2</sup> Warners Retail (Moreton) Ltd v Cotswold District Council & Or, Court of Appeal – Civil Division [2016] EWCA Civ 606

<sup>3</sup> Appeal reference: APP/G2815/V/12/2190174

<sup>4</sup> Appeal reference: APP/V2723/V/3132873 & APP/V2723/V/16/3143678

<sup>5</sup> Appeal reference: APP/P0119/V/17/3170627



circa 0.9ha of the site), even taking a flexible approach, it can readily be concluded that the alternative sites identified by the applicant either alone, or in combination, are not able to accommodate the proposed development. Therefore, notwithstanding whether the units and available or viable they are simply not suitable. The sequential test is therefore passed.

### *The impact assessment*

- 6.12 Turning to the impact assessment, Paragraph 89 of the NPPF identifies that planning applications for retail development outside town centre, not in accordance with an up to date Local Plan, should be assessed in terms of the following impacts on centres:
1. The impact of the proposal on existing, committed and planned public and private investment in a centre of centres in the catchment area of the proposal; and
  2. The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- 6.13 In relation to point 1 above, officers acknowledge that since the application has been submitted the Council have received confirmation of a High Streets Historic Action Zone fund for both Newport and Ryde. However, as this funding is from Historic England and relates to a four-year programme of physical improvements, community engagement and cultural activities, officers consider that the proposed development would not impact on this nature of investment.
- 6.14 In respect of point 2 it should be noted that Paragraph 17 of the NPPG (National Planning Policy Guidance) sets out that as a guiding principle impact should be assessed on a 'like-for-like basis' in respect of that particular sector. Retail uses tend to compete with their most comparable competitive facilities. Furthermore, Paragraph 5 of the NPPG identifies a number of vitality and viability health checks. It states that the indicators, and their changes over time, are relevant in assessing the health of town centres.
- 6.15 Having regard to the location and scale of the proposals, existing shopping patterns on the Island, and the existing retail provision in centres on the Island, officers and WYG consider it very unlikely that significant adverse impacts would arise on the smaller town centres of Ryde, Cowes, East Cowes, Sandown, Shanklin, Ventnor, and Freshwater. Accordingly, the appraisal of retail impact concentrates on the potential impact of the proposals on the vitality and viability of the nearby Newport Town Centre.
- 6.16 For the avoidance of doubt and of relevance to this report, the 2018 RS health check assessment of Newport Town Centre found that in January 2018:
- the centre provided a good, and improved comparison offer and varied convenience goods provision;

- the leisure services and financial and business services within the centre were somewhat lacking and could benefit from improvement to extend the dwell time within the centre;
- vacancy levels in the town centre were low;
- crime statistics indicated that the centre suffers from high crime rates. However, this was not particularly evident during our visits in 2018 and the centre was perceived to be safe;
- Generally, the centre was considered to be accessible by all modes of transport, although given that there is no railway station in the centre it is not accessible by rail to other parts of the island;
- the number of requirements identified by retail and leisure operators had declined since 2009 and was generally low, given the size of the town centre; and
- in general, the quality of the environment is reasonably good, with some areas being particularly pleasant.

6.17 As part of the supporting information Savills (on behalf of the applicants) undertook their own health check. When this is compared against the January 2018 survey it is noted that:

- the number of convenience goods units has fallen by 5 (-19%);
- the number of comparison goods units has fallen by 16 (-9%); and
- vacant units have increased by 9 from 32 to 41 (+28%) and are now comparable to the national average (circa 11%).

6.18 The above indicates, like many other town centres, Newport Town Centre is being impacted upon by the current economic retail climate. The above suggests that its vitality and viability has weakened since our January 2018 assessment. Notwithstanding this, we consider that Newport Town Centre to still be a reasonably healthy centre.

6.19 In respect of the drive-thru restaurant and potential gym/leisure element of the proposal WYG have reviewed Savills qualitative impact assessments of the proposed drive-thru restaurant and gym and agree with Savills that these elements of the proposed development are unlikely to result in a significant adverse impact on Newport Town Centre.

6.20 In respect of the impact on in-centre turnover overall, it is considered that it is possible that the proposed development could draw in the region of £10.8m from Newport Town Centre and a further £6.8m from edge-of-centre retail facilities. In terms of other centres on the Island it is anticipated that the trade is primarily drawn from food stores/retail facilities outside the town centres and therefore do not consider that any significant adverse impacts are likely to arise on these centres as a result of the proposed development.

6.21 Applying the above trade draw assumptions to the turnovers of retail facilities, WYG calculate that the impact on convenience goods facilities in Newport Town Centre could be in the region of 4.1% with the impact on comparison goods facilities 3.5%. The overall impact on retail facilities could also be in

the region 3.6%. Accordingly, WYG's judgment, based on their own assessment, is that the level of retail impact on Newport Town Centre could be slightly higher than that assessed by Savills (+2.7%).

- 6.22 Given the location of edge-of-centre facilities further information was requested from Savills on potential indirect impacts on the town centre arising from a potential reduction in linked trips from edge-of-centre retail facilities to the town centre (PSA). Savills provided further information by way of Memorandum dated 05/09/19.
- 6.23 Having reviewed Savills Memorandum, whilst it was noted by WYG that no survey had been undertaken to support the analysis, they considered the analysis, whilst relatively crude, to be broadly acceptable. Albeit it was noted that it only appeared to take into account potential loss of linked trips from convenience goods shopping.
- 6.24 Taking into account comparison goods trade diversion from edge-of-centre facilities WYG consider it is possible that indirect impacts on Newport Town Centre could be closer to £1.0m. This could potentially increase the impact on the retail turnover of Newport Town Centre from 3.6% to 3.9%.
- 6.25 Whilst the available evidence suggests that the vitality and viability of Newport Town Centre has weakened, and like many other towns, it is being impacted upon by the current economic retail climate, it remains a reasonably healthy town centre. The Council's latest retail study also indicates that the town centre is trading well (£215m comparison goods / £47.5m convenience goods @ 2018).
- 6.26 In considering retail impact, the Council's conclusion on the planning application for the Asda food store on St Georges Way, Newport (application ref: P/00944/12) is a material consideration that should be taken into account in the determination of the current planning application.
- 6.27 In so far as retail impact is concerned, WYG have noted that the Council considered the town centre to be trading well and that the proposed Asda store would have an impact on the town centre retail turnover of 8% (twice the level of impact assessed in this case). It was concluded by the Council that "...the impact on the town centre as a whole would not harm the vitality and viability of Newport Town Centre."
- 6.28 In this instance, WYG have advised:
- given the lower levels of retail impact we have assessed are likely to occur on Newport Town Centre as a result of the proposal;
  - the fact that the town centre remains reasonably healthy and is trading well (even after the Asda food store opening);
  - the proposed development is not anticipated to impact on any in-centre investment; and

- it is assessed the retail turnover of the town centre is set to continue to increase (circa £28m between 2018-2023)

we consider that similar conclusions on impact on vitality and viability to that made by the Council on the Asda proposal should be drawn on this planning application.

- 6.29 WYG and officers have carefully considered the planning application against the impact tests set out in the NPPF and it is concluded that the proposal would not result in any significant adverse impact on in-centre investment. In terms of impact on vitality and viability it is considered that similar conclusion to that made by the Council on the Asda proposal should be drawn. Accordingly, no significant adverse impacts are considered to arise as a result of the proposed development.
- 6.30 Third party comments have objected on the grounds that there is no need for the proposed units. However, although previous policy documents including 'Planning for Town Centres: Practice guidance on need, impact and the sequential approach' have required a needs assessment to be submitted, this requirement was not included within the NPPF, which replaced those documents.
- 6.31 Concerns have been raised by third parties that the submitted Impact assessment only assesses impact to 2023, which is not sufficient period for 'mature' trading pattern. Guidance contained in the NPPG identifies that the design year for testing impact *"should be selected to represent the year when the proposal has achieved a 'mature' trading pattern"*, and that *"this is conventionally taken as the second full calendar year of trading"*. Officers are satisfied, based on the application having been submitted in 2018, this was a reasonable assumption and remains achievable.
- 6.32 In light of the above officer considered that the application would not have an unacceptable impact on the viability and vitality of the town centre and would therefore comply with policy DM9 of the Core Strategy.

#### Highway matters

- 6.33 The layout plans for the application have been amended since they were originally submitted to seek to address concerns raised by Island Roads and Cycle Wight in respect of the access to the site and associated parking for cycle users. Officers are satisfied that these changes make the site more useable for different modes of transport.
- 6.34 Island Roads have confirmed that having reviewed the submitted plans it is evident that the previous concerns in respect to the pedestrian / cycle access from the eastern site boundary have been addressed by the relocation and provision of a wider access ramp (subject to detail design of the gradient. Likewise, the onsite pedestrian / cycle routes have been remodelled to provide adequate useable width and safe routes through the car park,

including for increasing the width of the access ramp between Godric Road and the proposed Drive Thru.

- 6.35 Island Roads also acknowledge that the applicant now makes a commitment to provide a footway/cycle link on the western side of Pan Lane linking Godric Road and Pan Meade with the comment 'The detailed design of this route is to be developed in consultation with Island Roads as the development progresses.' Island Roads respect this commitment but request that to ensure that a fully compliant layout can be achieved within land under the control of the applicant and public highway a detail layout be provided at this stage. The applicant has not provided this as they consider that they should not have to resolve the issue in its entirety, which they would contribute to but is not solely created by the proposed development. The scheme therefore proposes to provide a footpath link through the field adjacent to Pan Lane to provide part of the route and a contribution to any further works necessary to take the route to the existing pavement but is not proposing to do the entirety of these works. As the application site is part of a number of sites coming forward, including Asda, officers consider that the proposed development is assisting with an existing problem and that the combination of works and a contribution is reasonable. Any other development coming forward in the vicinity of the site would also need to contribute to this. The application would therefore represent an improvement to pedestrian safety.
- 6.36 The submitted plans show a remodelled priority junction serving the site from Godric Road. The existing shared surface footway/cycleway that runs the length of Godric Road is detailed as being accommodated by the provision of a 'Tiger Crossing'.
- 6.37 Island Roads originally raised concerns in relation to the service of the drive-thru and associated swept path analysis. However, following the submission of a Servicing Statement they have confirmed that these concerns have been addressed, subject to a condition that the submitted statement is adhered to.
- 6.38 The information provided in respect to traffic flows attributable to the development are considered to demonstrate that scheme would be accepted.
- 6.39 Concerns were originally raised by Island Roads in respect of the level of car parking proposed on site. However following the submission of a parking accumulation survey within the Asda car park, which is located opposite to the site they have confirmed that on evaluation of this data it is evident that at the time of inspection there was significant capacity within the car park, thus leading this office to the conclusion that the proposed level of onsite parking detailed within the submission is acceptable and that in addition there is capacity for the Asda store car park to act as an overflow facility when considering its obligation to provide public parking for up to four hours to accommodate shared use trips between the site and the town centre.
- 6.40 The Public Rights of Way Manager has confirmed that the proposed pedestrian and cycle improvements are positive and that they support the new

cycle/pedestrian route running parallel with Pan Lane. They have requested contributions be taken towards improvements to public footpath N9 and the Pan Country Park. Officers have not sought these contributions as the Asda development undertook some works to N9 and further enhancement, through the use of blacktop and street lighting were considered to be inappropriate, due to the existing rural appearance of the path and the potential impact on trees along the route, therefore those works have already been considered inappropriate. It would not therefore be appropriate to take further monies in this regard/ Officers consider that the relationship of the site with the County Park is not directly attributable to the nature of the proposed development.

#### Impact on neighbouring properties

- 6.41 The application site has residential properties to the north which could be impacted upon as a result of the proposed development. Officers consider that properties to the south are too far from the site to result in unacceptable impacts on their amenities, measuring approximately 215 metres to the site boundary. The closest property within the newly development Pan Meadows (also known as St. Georges Gate) measures approximately 180 metres.
- 6.42 The main group of properties to the north and north-east, which could be impacted upon would include those within Home Meade (approximately 90 meters to the boundary) and those within the Pan Farmhouse complex (approximately 50 metres to the boundary).
- 6.43 One of the main concerns in respect of the amenities of these properties relates to the potential impact from delivery vehicles and the use of the delivery yard, which is located on the northern boundary of the site. In light of this officers requested additional information during the determination process of the application in respect of noise. This information has been considered by the council's Environmental Health officer who has confirmed that, subject to conditions, the proposed development would not result in an unacceptable impact on the amenities of these properties.
- 6.44 The noise report states that noise would be generated once operational from mechanical plant (air conditioning units and cooling plant), fork lift truck movements, vehicles manoeuvring/idling in the yard, loading and unloading, reversing alarms, and refrigerated plant attached to vehicles. The report does not include noise from any kitchen extraction system to the drive-through. However, it is envisaged that any likely extraction system in the proposed location would not generate levels above that predicted in the report for the other mechanical plant.
- 6.45 The report's findings show there would be an adverse impact from activities occurring in the yard, with the most impact occurring during night time hours, due to the background noise levels being lower. To mitigate the noise from the service yard activities, a barrier along the north east corner of the site is proposed, combined with restrictions on use of the yard during night-time hours. There are no details over the noise barrier included in the report. A

condition would therefore be necessary to require a scheme for a noise barrier that would ensure the noise levels and limits outlined in the report are achieved. This method of mitigation is considered to be acceptable in principle to ensure that there would not be an unacceptable level of impact from noise.

- 6.46 Concerns with regards to lighting can be managed by appropriate fitments, which would ensure light is directed downwards. Furthermore, any potential impact of light spillage from this site would need to be considered in the context of the existing football club and its associated floodlighting. Officers consider that any proposed lighting can be designed to have a lesser impact.
- 6.47 Concerns have been expressed with regards to the potential impact of increased traffic on air quality, and the associated impacts on residential amenity. No air quality impact assessment has been provided with this application. However, the guidance produced by the Institute of Air Quality Management 'Land-Use Planning & Development Control: Planning for Air Quality' outlines where a development may cause a risk of exceedance of AQ objectives and an assessment needs to be undertaken with an application. This document lists 7 criteria where an assessment should be undertaken. Only one of these criteria apply to this proposal. This relates to an assessment being required where there is a predicted increase in movements of vehicles under 3.5 tonne of over 500 per day on average. Traffic data provided with the application shows that there will be a worse case increase of 600 vehicles along St. Georges Way south of St. Georges Approach. However, due to previous assessments being carried out along Medina Way showing pollution levels well below the air quality objectives for NO<sub>2</sub> and PM<sub>10</sub>, this predicted increase of 600 vehicles would not cause any exceedance. Therefore, Environmental Health has no objections to this application as regards Air Quality.
- 6.48 In light of the above findings, the proposed mitigation is considered to ensure that the proposed development would not have an unacceptable impact on the amenities of neighbouring residential properties.

Visual impact, including layout, scale and appearance

- 6.49 The application seeks to demolish the existing building on site, which is in the centre of the site with the football pitch to the east and car parking to the west. The building is two storeys in height and has an industrial appearance, with red brick at the ground floor level and green metal cladding above. The rear of the building (eastern elevation) incorporates a stand for spectators. The building adds little to the character of the area but is set a distance from the road and is therefore not considered to detract from it. There is no objection to the demolition of this building.
- 6.50 The proposed development seeks to erect two buildings on site. One large building to the northern boundary and a smaller building on to south-western boundary. The area in-between the buildings would provide for a large area of car parking.

- 6.51 As outlined above the larger of the two buildings would accommodate 5 separate units. The external appearance of this part of the building has been amended slightly from that originally submitted, to increase the areas of glazing and include canopy features, roof overhang and pillar details. Units 1 – 4 would have a similar appearance to each other with areas of glazing and canopies demarking the entrances and further glazing to the side elevation onto St. Georges Way, to add some more interest into the visual appearance of this elevation. Pillars have been incorporated, which would sit under the roof overhang and provide additional interest to the front and side elevation (west). The remainder of the elevations would be a combination of red brick, timber and dark grey cladding, as outlined above. These units would follow the same building line, with the design features providing articulation to this elevation.
- 6.52 Unit 5 would appear distinctly different from units 1 – 4, although would be attached to them. The unit would be set approximately 6.5 metres further forward and would incorporate a mono-pitched roof, allowing for the height of the building to reduce towards the eastern boundary. This section of the building would also include greater areas of glazing to the front elevation.
- 6.53 The design detailing and combination of materials would ensure that the proposed building would enhance the appearance of the site, despite being of a larger scale than the existing building on site.
- 6.54 The smaller building would have a functional appearance onto the existing roundabout and balancing pond, with this elevation providing the service hatches for the drive-thru element of the scheme. That said, the use of natural stone tiles, bottle green cladding and dark grey engineering brick would ensure that the elevation would contain a level of interest in the street scene. Due to the land levels on site only the upper section of this building would be visible when viewing from the entrance into the site.
- 6.55 To further enhance the appearance of the site a detailed landscaping scheme has been developed since the application was originally submitted, to include landscaping of the car park and boundary with St. Georges Way.
- 6.56 The proposal would result in the loss of 3 Ash trees on the north eastern boundary, which are of poor quality and showing signs of ash die back. A further Ash that overhangs the site, located within the adjacent woodland, would require its crown to be reduced. These works are considered to be acceptable as the overhanging crown is overextended and in reducing it would relieve any weight stress present. Although the loss of the 3 ash trees is considered acceptable, due to their condition, the council's tree officer has raised concerns that the proposed mitigation is insufficient, when viewed from the public footpath to the east. The proposed landscaping scheme proposes grass within the area of the site not planting.
- 6.57 Officers acknowledge that the view from part of the public footpath would be altered as a result of the development. The current view from this footpath



being a football pitch. However, should the ash trees in question be retained in their current location they would do little to screen the building. It is therefore considered unreasonable to conclude that the landscaping scheme fails to mitigate for the loss of these trees. Officers have negotiated and revised landscaping scheme which would result in a number of trees being planted within the proposed car park. When considering the current lack of planting within the existing car park, this would have a greater enhancement to the character of the area than planting on the boundary of the site, which would only mitigate the impact from a small section of the public footway.

6.58 The impact of the proposed development on public footpath N9 is considered to be balanced against the enhancement resulting from the scheme as a whole.

6.59 Having due regard to the above the proposed development is considered to comply with policy DM2 of the Core Strategy.

#### Impact upon a nearby listed building

6.60 The application site is located approximately 69 metres to the south-west of Great Pan Farmhouse, a Grade II listed building. The farmhouse is set back from Pan Lane with outbuildings (now converted to residential) within the courtyard area to the front of the building.

6.61 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority “shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” Key to the consideration of whether this development would harm the setting of the listed building is first to understand what degree the setting contributes to the significance of the listed building. The land around the listed building has been subject to much change during the twentieth century and the adjacent vehicle repair centre and housing estate are starkly different to open countryside that would have been present originally. Fields and generally open countryside are important contributors when appreciating the setting of rural buildings such as farmhouses but in this respect the use of the surrounding land has altered so dramatically throughout the twentieth century that the context of the isolated rural farmstead has been lost. The setting of the building has already been harmed by the presence of this extent of later development and even from the sound of the nearby traffic which is uncharacteristically apparent. Despite this, the building is still of historic and architectural interest because it is a good example of a relatively unaltered late eighteenth century farmhouse. Therefore, the significance of the building lies more in its presence/fabric/survival rather than its setting which contributes little to its interest.

6.62 The contribution of setting to the significance of a listed building is often expressed by reference to a view. In this case the proposed development

would bring the built form closer to the listed building but there would still be landscaping between the two sites and the proposed building would be at an angle to the listed building itself. The proposed store would be located behind the existing woodland and therefore although visible in glimpses its presence would otherwise be screened. The presence of this landscape buffer between the proposed buildings and the listed building results in an impact which would be considered as negligible. When viewing the site from further afield, for example Mountjoy, the listed building is not distinguishable behind the trees and as such the building does not form part of this view. The proposed development would be more visible than the existing football club from this view but not in the context of the listed building. From other viewpoints the building is viewed in the context of the more urbanised areas of Pan and therefore the inclusion of further development with an appropriate level of screening is not considered to be harmful.

6.63 Officers are therefore satisfied that, when taking into consideration the distance of the development from the listed building, the existing landscaping and importantly the context of the listed building with the existing neighbouring developments, the proposed development would have a neutral impact upon the setting of the listed building. The setting of the listed building would therefore be preserved.

6.64 The Council's Archaeologist has requested conditions should the application be approved and subject to these the application is considered to comply with policy DM11 of the Core Strategy.

#### Other matters

6.65 The application site lies mainly outside of any Flood Zones, the exception of this is an area within the north-western corner of the site. The proposed layout removes this area from any form of building development, utilising it as open space, a balancing pond and car parking, all of which are considered to be flood compatible uses and would not result in any increase in risk.

6.66 A Flood Risk Assessment has been submitted and confirms that the surface water flow rates would not exceed the annual maximum greenfield runoff rate, taking due regard of climate change. The Environment Agency has raised no objection to the application.

6.67 The application is therefore considered to adequately address the issues of flood risk and drainage and therefore is considered by Officers to be acceptable in these areas, subject to conditions.

6.68 Concerns have been raised with regards to the impact of the proposed development on wildlife etc. However, as outlined above the submitted ecology report has been considered by the council's Ecology Officer who has confirmed that, subject to conditions, the proposed suite of mitigation measures would be acceptable to ensure that the proposed development would not have an unacceptable impact on ecology, including wildlife.

6.69 Third parties have raised concerns that the proposed drive-thru would result in an increase in smell, litter and anti-social behaviour. Officers have addressed the matter of odour above. In respect of litter this would be managed through a site management plan, which would require the operator to undertake litter picking in the vicinity of the site to reduce the impact of this. No evidence has been presented to justify the statement that a drive-thru would lead to an increase in antisocial behaviour.

6.70 In line with the requirements of policy DM22 (Development Contributions) the recommended approval is subject to the following heads of terms, which have been agreed with the applicant:

- The units shall not be brought into use until the replacement football ground at Racecourse is available for use.
- A contribution of £20,000 towards a town centre cycle link and cycle parking enhancements
- A contribution of £25,000 towards enhancements to the pedestrian connectivity between the approved footpath and Pan Lane priority pinch-point.
- Employment and Skill Plan

## **7. Conclusion**

7.1 Having given due regard and appropriate weight to all material considerations referred to above it is considered that the proposed site would pass the sequential and impact test and would not result in an unacceptable level of impact on the town centre. It would therefore accord with policy DM10 of the Core Strategy

7.2 The site would not result in unacceptable levels of impact on the amenities of neighbouring properties, the character of the area, flood risk, ecology, trees, archaeology or highway safety, subject to the below suggested conditions and would therefore comply with policies DM2, DM11, DM12 and DM14 of the Core Strategy

## **8. Recommendation**

8.1 Conditional permission, subject to a Section 106 agreement as outlined within paragraph 6.71 above.

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

9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council take a positive and approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area 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 suggest solutions where possible

In this instance the applicant was provided with pre application advice and extensive discussions have taken place through the determination process of the application, resulting in the submission of further information, which overcome 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 14981-051 Rev. A, 14981-100 Rev. J, 14981-101 Rev. B, 14981-102 Rev. B, 14981-103 Rev. B, 14981-104, 14981-105 Rev. A, 17981-106 Rev. A, 14981-107 Rev. A, 14981-110 Rev. A, 14981-114, 14981-115 Rev. A and V14981 L01 Rev. J

**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 retail units hereby approved shall be subject to the following floorspace restrictions:

Unit	Proposed GIA floor-space in sq. m.	Proposed use
Unit 1	2,323 (+697)	Retail warehouse (external garden centre)
Unit 2	697 (+ 232 mezzanine)	Flexible space retail/leisure
Unit 3 and 4	4,929	Retail warehouse
Unit 5	1,782 (1,315sqm sales area and 467sqm storage, staff and office facilities)	Discount foodstore (LAD)

**Reason:** To maintain control over the level of floorspace available for the sale of all goods to protect the town centre in accordance with Policy DM9 (Town Centres) of the Island Plan Core Strategy.

4. Unit 1 hereby approved may be used for the retail sales and display of all goods except for clothing, footwear and fashion accessories, unless where ancillary to the main retail use and from no more than 10% of the net sales area. No more than 20% of the net sales are shall be used for the sale of food and drink (other than food for animals).'

**Reason:** To protect the viability and vitality of the High Street in accordance with policy DM10 (Town Centres) of the Island Plan Core Strategy)

5. Units 2, 3 and 4 hereby approved may be used for the retail sale and display of all goods except for:
  - food and drink (other than food for animals);
  - clothing, footwear and fashion accessories;unless where the above goods are ancillary to the main retail use and from no more than 10% of the net sales area.'

**Reason:** To protect the viability and vitality of the High Street in accordance with policy DM10 (Town Centres) of the Island Plan Core Strategy)

6. Unit 5 hereby approved shall only be used for a foodstore which falls within the category of a Limited Assortment Discounter (LAD) only.

**Reason:** To protect the viability and vitality of the High Street in accordance with policy DM10 (Town Centres) of the Island Plan Core Strategy)

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Class A of Part 7 of Schedule 2 to that Order shall be carried out, which would result in the creation of any additional retail floorspace.

**Reason:** To protect the viability and vitality of the High Street in accordance with policy DM10 (Town Centres) of the Island Plan Core Strategy)

8. The units hereby approved shall at no time be subdivided to form separate retail trading units.

**Reason:** To protect the viability and vitality of the High Street in accordance with policy DM10 (Town Centres) of the Island Plan Core Strategy)

9. 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 the exterior of the building(s) hereby approved shall not be painted or coloured other than expressly authorised by this permission, unless for the purposes of maintenance.

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

10. The construction works on the building shall commence on site until details including colours of all external materials, including hard surfacing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

11. No development including site clearance shall take place until trees shown to be retained in this permission have been protected by fencing or other agreed barrier, any fencing shall conform to the following specification:

Barrier shall consist of a scaffold framework as shown in figure 2 of BS 5837 (2005). Comprising of vertical and horizontal framework braced to resist impact, with vertical tubes spaced at a maximum of 3 m intervals. Onto this weld mesh panels are to be securely fixed. Such fencing or barrier shall be maintained throughout the course of the works on the site, during which period the following restrictions shall apply:

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

**Reason:** To ensure that the high amenity tree to be retained is 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. This is a pre-commencement condition as any development on the site could damage trees, if not appropriately protected.

12. No development shall take place until the applicant or their agents has secured the implementation of a programme of geoarchaeological and archaeological works 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. This is a pre-commencement condition as any development on the site which would penetrate the ground could impact on archaeological deposits.

13. 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.

14. All hard and soft landscaping works as shown on drawing no. V14981 L01 Rev. J shall be carried out prior to the building being brought into use or in accordance with a programme of agreed in writing with the Local Planning Authority.

**Reason:** To ensure the landscaping is undertaken and maintained to an acceptable standard in accordance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

15. No deliveries or dispatches from the premises or service yard activities shall take place outside the hours of 06.00 to 22.00 Mondays to Saturdays or outside the hours of 08.00 to 21.00 on Sundays or Bank Holidays.

**Reason:** To prevent annoyance and disturbance, in particular sleep disturbance, from associated noise in accordance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

16. Reversing alarms of vehicles and ride on work equipment involved in deliveries and dispatches to the site must be of a type that emits broadband noise.

**Reason:** To prevent annoyance and disturbance, in particular sleep disturbance, from associated noise in accordance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

17. Noise emitted from the site from the use hereby approved, that emanates from the site, shall not exceed LAeq 15 minute of 25 dB and shall have no perceptible tonal component between 23:00 and 07:00 hours daily, and shall not exceed

L<sub>Aeq</sub> 60 minute of 35 dB at any time and shall have no perceptible tonal component between 07:00 and 23:00 hours daily. The noise levels shall be determined at 1 metre from Great Pan Farm or any residential property on Home Meade and Medina Avenue, Newport, Isle of Wight by measurement or calculation. The measurements and or calculation shall be made in accordance with BS4142: 2014.

*N.B. BS4142:2014 outlines both an objective and subjective methodology for the assessment of tonal noise. The method adopted should be agreed in advance with the Local Planning Authority.*

**Reason:** To prevent annoyance and disturbance, in particular sleep disturbance from noise emissions from the premises in accordance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

18. Prior to the use hereby authorised commencing, a scheme for the sound attenuation (Barrier) of the noise from service yard shall be submitted to the local planning authority for approval. The scheme shall include a specification for the acoustic barrier together with proposals for ensuring that the noise from the service yard shall not exceed a level of L<sub>Aeq</sub> 60 minute of 35dB at 1 metre from the boundary of any neighbouring residential properties, existing from the date permission was granted, by distance/barrier attenuation calculation and/or measurement.

Once approved all necessary works shall be tested by a competent person\* and upon completion of all works a report shall be submitted to and approved by the Local Planning Authority to verify the scheme's effectiveness. The scheme approved by Local Planning Authority shall be fully implemented in accordance with the approved details before the use, the subject of this consent, commences. The scheme and any required works shall thereafter be maintained in accordance with the approved details. No alterations shall be undertaken without the prior written approval of the local planning authority.

\* A competent person may be contacted through 'The Association of Noise Consultants', The Old Pump House, 1A Stonecross, St. Albans Herts SL1 4AA Telephone 020 8253 4518 <http://www.association-of-noise-consultants.co.uk/>.

**Reason:** To prevent annoyance and disturbance, in particular sleep disturbance, from associated noise in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

19. No external lighting shall be installed until details of the type of light appliances, the height and position of fittings, levels of illumination and light spillage for the proposed development have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the application does not result in adverse effects from lighting in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.



20. There is to be no burning on site of demolition and / or construction waste during the demolition and construction phases of this development.

**Reason:** To prevent annoyance and disturbance from smoke emissions from the site in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

21. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall identify the location of the site compound, parking, turning and delivery spaces for construction traffic, the access route to be used by construction traffic, the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the site preparation, groundwork and construction phases of the development, steps to prevent material being deposited on the highway and manage Heavy Goods Vehicle (HGV) access to the site. Once approved, the Construction Environmental Management Plan shall be adhered to at all times during the construction phase.

**Reason:** To prevent annoyance and disturbance to nearby properties from the development and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy. This is a pre-commencement condition because the aim of the condition is to ensure that the construction phase is managed in a suitable manner.

22. Prior to the commencement a single site-wide ecological mitigation, compensation and enhancement strategy shall be submitted to, and agreed in writing by, the Local Planning Authority. Such details shall be in accordance with the measures detailed within the Ecological Assessment report (Arc, December 2018). The strategy shall include, but not necessarily be restricted to, details of:
- A Construction and Environmental Management Plan, detailing measures to control construction-phase impacts to ecological receptors;
  - Details of surface water runoff to prevent contamination to waterways;
  - Landscaping Plan to include composition, extent, establishment, and ongoing maintenance of all retained, enhanced and compensatory habitat;
  - details on the type and aspect of bat boxes to be installed along the northern boundary;
  - details on the type and aspect of integral swift terraces to be installed within the commercial units
  - details on the type, aspect and height of one kestrel nest box to be installed within the development
  - and

All mitigation, compensation and enhancement measures shall be permanently maintained and retained on site. Any such measures shall thereafter be implemented in accordance with the agreed details.

**Reason:** to provide ecological protection and enhancement in accordance with Conservation Regulations 2010, Wildlife & Countryside Act 1981, NERC Act 2006, NPPF and with Policy SP5 of the Island Plan Isle of Wight Core Strategy March 2012.

23. Development shall not commence on site until a surface water drainage scheme for the site, based on the sustainable drainage principles set out in the submitted jpp consulting Civil and Structural Engineer Flood Risk Assessment Revision A: November 2018 (R-FRA-9242M-01-A) have been submitted to and approved in writing by the local planning authority.

**Reason:** To prevent the increased risk of flooding, both on and off site in accordance with Policy DM14 (Flood Risk) of the Island Plan Core Strategy.

24. No part of the development hereby permitted shall commence until there has been submitted to and approved in writing by the Local Planning Authority.

- 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's 2 & 3 and BS10175:2011; 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 – "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.

The construction of buildings shall not commence until the investigator has provided 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 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.

**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.

25. Development shall not commence on site until details of the design, surfacing and construction of any new roads, footways, accesses and car parking areas, together with details of the means of disposal of surface water drainage therefrom have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

26. No building shall be brought into operation until the parts of the service roads which provide access to it and the tiger crossing have been constructed surfaced and drained in accordance with details which are to be submitted to and approved by the Local Planning Authority.

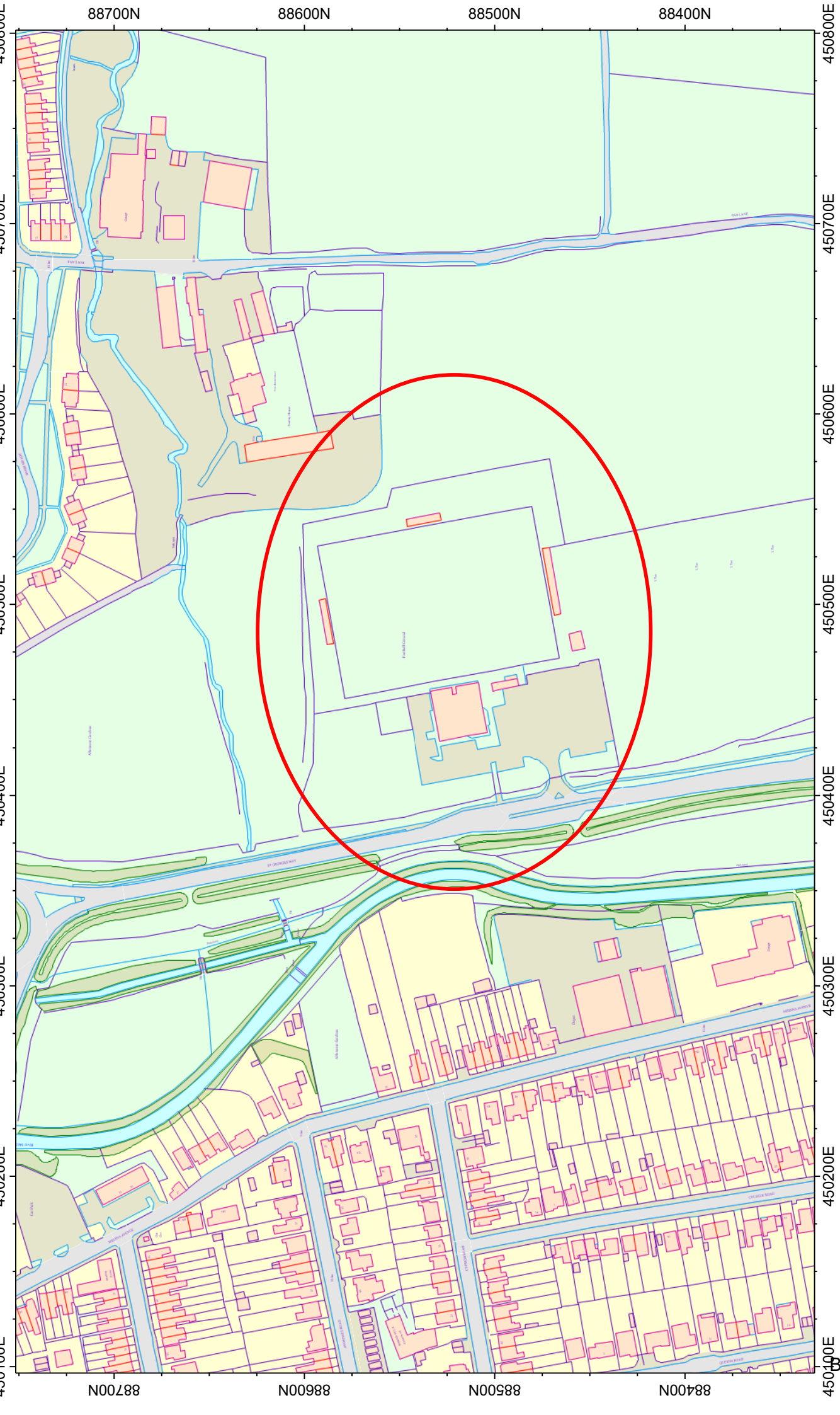
**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

27. The building(s) hereby permitted shall not be brought into operation until space has been laid out within the site in accordance with drawing number 14981-100 Rev. J and in accordance with details that have been submitted to and approved by the Local Planning Authority in writing in association with the construction, surfacing and drainage for car and bicycle parking spaces and for vehicles to be loaded and unloaded 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.

28. No building shall be brought into operation until the means of access thereto for pedestrians and cyclists based on the principals of drawing no. 14981-100 Rev. J has been constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

**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.



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