

## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 17 DECEMBER 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 Head of Legal Services and Monitoring Officer, in recognition of a duty to give reasons for a decision, each report will include a section explaining and giving a justification for the recommendation.**

**LIST OF PLANNING APPLICATIONS REPORT TO COMMITTEE – 17 DECEMBER 2019**

1	<a href="#">19/00804/OUT</a>	Parish: East Cowes	<b>Conditional Permission</b>
Page B-4	Land Between Queensgate Primary School and, Crossways Road, East Cowes.  Outline for residential development and formation of vehicular access off Beatrice Avenue and Whippingham Road (revised description - re-advertised application)	Ward: Whippingham and Osborne	
2	<a href="#">19/00310/FUL</a>	Parish: Ryde	<b>Refusal</b>
Page B-31	Smallbrook Stadium, Ashe Road, Ryde.  Proposed new sports facility providing ice rink, tennis courts and ancillary facilities, with car parking (additional information relating to ecology and sports provision received - advertised application)	Ward: Havenstreet, Ashe and Haylands	
3	<a href="#">19/01019/FUL</a>	Parish: Sandown	<b>Refusal</b>
Page B-59	57 - 59 High Street, Sandown, Isle of Wight.  Conversion and extension to provide 5x flats and ground floor commercial unit/ restaurant (revised scheme)	Ward: Sandown South	
4	<a href="#">19/00983/ADV</a>	Parish: Sandown	<b>Conditional Permission</b>
Page B-69	Sandham Gardens, Culver Parade, Sandown.  3x non-illuminated entrance signs; 1x non- illuminated rock art	Ward: Sandown North	

installation

5

[P/00496/18](#)

Parish: Nettlestone  
and Seaview

**Conditional  
Permission**

Page B-77 Land Between Nettlestone Hill  
and, Seaview Lane, Seaview.

Ward: Nettlestone  
and Seaview

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)

**01 Reference Number: 19/00804/OUT**

**Description of application:** Outline for residential development formation of vehicular access off Beatrice Avenue and Whippingham Road (revised description - re-advertised application)

**Site Address:** Land Between Queensgate Primary School and Crossways Road East Cowes Isle of Wight

**Applicant:** iWight Developments

**This application is recommended for conditional permission**

**REASON FOR COMMITTEE CONSIDERATION**

The application site is council owned land. The Local Councillor has also requested that the application be considered by committee as he considers that the submission disregards local needs, wants and wishes of the community, the relevance of the allocation within the Draft Island Planning Strategy and conflicts with the Core Strategy, including policies SP1, SP2, SP5, AAP1, DM2, DM3, DM7, DM11, DM12, DM14 and DM21.

**MAIN CONSIDERATIONS**

- Principle of the development
- Impact on the character of the area, including the setting of the Registered Park and Garden
- Impact on neighbouring properties
- Highway considerations
- Other matters

**1. Location and Site Characteristics**

- 1.1 The application site occupies an almost square parcel of land measuring approximately 5 hectares with roads on three sides. Whippingham Road runs the length of the eastern boundary, Crossways Road runs to the north and Beatrice Avenue to the west. The remaining boundary is demarked by Queensgate School and playing fields.
- 1.2 The site is currently a farmed field but has development surrounding it. The site is flat with a large hedgerow to the Whippingham Road and Crossways boundaries. Natural growth also defines the other boundaries.
- 1.3 The housing to the north and west is dense and relatively linear in layout. To the north-east corner of the site is The Dog House and Crossways House, which sit outside of the application boundary.

## 2 **Details of Application**

- 2.1 The application seeks Outline planning permission to establish the broad principle of housing development on the site, with formation of vehicular access off Beatrice Avenue and Whippingham Road. Access is the only matter being considered, with appearance, landscaping, layout and scale reserved for later consideration. The application was originally submitted for 'up to 165 units', however, the number of units has been removed from the description. The application now simply being for the principle of residential development.
- 2.2 The application has been supported with indicative layout plans to show how the site could be developed. However, as the number of units is not now being set out this does not hold any weight in the decision process and is purely a representation of what could be done. This layout and number of units shown therein would not be approved if the application was granted.
- 2.3 Indicative plans show areas on which buildings could be positioned and areas of public open space, including an area along the boundary Whippingham Road. To ensure that the required access visibility could be achieved the existing hedge along Whippingham Road would be realigned outside of the road works and visibility splays.
- 2.4 A pumping station is shown in the north-west corner of the site with areas for swales and other sustainable drainage features within some of the areas of open space.
- 2.5 Two vehicular accesses would be created into the site, one from Whippingham Road, to include for a righthand turn lane within Whippingham Road itself and a repositioning of the existing 30mph speed limit further south to reduce the speed past the access road. The second access would be onto Beatrice Avenue and would form a standard junction. The two access points would sit centrally to the site, almost opposite each other.

## 3 **Relevant History**

- 3.1 None relevant to this application

## 4 **Development Plan Policy**

### National Planning Policy

- 4.1 National Planning Policy Framework (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 SP1 - Spatial Strategy  
SP2 - Housing  
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  
DM14 - Flood Risk  
DM17 - Sustainable Travel  
DM22 - Developer Contributions
- 4.4 Affordable Housing Contributions (SPD) (2017)
- 4.5 Bird Aware Solent Recreation Mitigation Strategy (2018)
- 4.6 Guidelines for Parking Provision as Part of New Developments (SPD) (2017)
- 4.7 Guidelines for Recycling and Refuse Storage in New Developments (SPD) (2017)

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

##### Internal Consultees

- 5.1 The Council's Ecology Officer has recommended conditions, should the application be approved, to ensure that biodiversity enhancements are realised.
- 5.2 The Council's Archaeology Officer has recommended that a programme of archaeological works is carried out during the development. Conditions are recommended should the application be approved.
- 5.3 Island Roads, on behalf of the Highway Authority originally submitted a request for additional information, in respect of the alignment or kerbs, cycle connectivity and the potential impact on the wider network. Following the submission of clarification on these matters a recommendation for conditional approval has been made.

##### External Consultees

- 5.4 Natural England commented on the screening opinion and confirmed that, it was

their view that the proposed development is not likely to significantly affect the interest features for which they are notified.

- 5.5 Historic England have confirmed that they do not wish to offer any comments. They do suggest that we take advice from internal experts on archaeology and conservation.

#### Parish/Town Council Comments

- 5.6 Whippingham Parish Council strongly objections to the application for reasons that can be summarised as follows:

- Planning application goes against the Core Strategy
- Development would be on productive agricultural land
- Contrary to SP1, DM11 and DM12, as does nothing to enhance the character and content of local area
- The application does not refer to the existing permission for housing development that have not been fulfilled in East Cowes and Whippingham, which will meet the need of our residents without the proposed development. This is not including Hawthorn Meadows, which has not been completed. Does not comply with SP2
- Impact on Osborne House and the associated Registered Park and Garden has not been taken into account
- Takes away the buffer zone that defines Whippingham parish from East Cowes.
- The land is environmentally valuable to the wildlife in this area contrary to SP5
- Development is not of good design or ensures local distinctiveness and does not comply with DM2
- The GL Hearn report states that there should be aspirational homes in the area. The proposed homes and the lack of space, contrary to DM3
- The community orchard and small play area for the level of housing is insufficient. The site is of great benefit to the community as residents enjoy the openness of this green space, which is important to wellbeing and mental health
- Contrary to SP5 and DM14 as proposed hard standing area would increase the amount of runoff water, in an area which already has localised flooding
- Application does not deal with the local infrastructure problem
- There is one road in and out of East Cowes, which is frequently gridlocked
- The water supply is totally inadequate
- Pumping station has reached its capacity and would therefore impact on foul drainage disposal
- Section 106 monies would not solve the issue of school capacity
- Doctors surgery is unable to cope at present
- Units would not be affordable, when considering the average wage on the Island.
- Did not sufficiently engage with the local communities
- No local bus service or shops

- 5.7 East Cowes Town Council object to the application for reasons that can be summarised as follows:

- Contrary to SP1 as the applicant has not demonstrated local need or enhance the character and context of the area

- The site shown within the outline plans bears no relationship in either street pattern or layout to the surrounding area
- The density would be 34.4 houses per hectare which is much higher than elsewhere on the Island
- The SHLAA outlines that the site would accommodate 75 units, which would allow a much lower density with a greater chance to of enhancing the character of the area
- It is unclear how the open space would relate to the wider area, in terms of character and public access
- The 'green gap' is very important as it helps to protect the setting of the listed buildings and allows views of the wider landscaping. The proposed density of the development would harm the listed buildings, contrary to DM11
- Island Roads are requesting additional information, which is not available at the time of writing. The proposed housing density would cause difficulties in relation to access within the site.
- In terms of pedestrian safety IR asks for further information in relation to the junction at Beatrice Avenue, due to the proximity of the site to Queensgate School these details are vital
- In terms of cycle provision, the applicant has made no effort to link the site to the wider cycle network and has not provided any routes within the site for cyclists. Until this information is provided, the outline application does not accord with Island Plan Policy DM17.
- The access shown on the plans would provide a potential 'rat run' from Whippingham Road to Beatrice Avenue. This would harm the quality of life for existing and future residents
- Settlement coalescence
- urban renewal should be prioritised over urban expansion, with all the latter implies for increased motor vehicle use and the associated traffic problems
- The proportion of affordable housing proposed in this scheme is unremarkable at 35%, which would include intermediate properties for sale under equity schemes, not just social rented housing. This scheme represents a missed opportunity for the Council to invest in the creation of a larger proportion of social housing on a more appropriate site. The out-of-centre location of the application site would mean that the social rented housing tenants would be disadvantaged if they do not own cars or had health problems making the one-mile walk to the town centre difficult.

### Third Party Representations

- 5.8 126 letters of objection have been received from local residents, the content of which can be summarised as follows:
- Will remove any space between East Cowes and Whippingham/ Settlement coalescence.
  - Impact on the character of the area and individual settlements of East Cowes and Whippingham
  - Insufficient capacity at the local doctors and school / social infrastructure
  - Whippingham Road access would be on to a very busy road
  - Beatrice Avenue access would be on to a residential street on a route to a school
  - No provision has been made in the plan to widen Crossways
  - No proposed bus stop, with the existing stop being a 20-minute walk from



## Beatrice Avenue

- Impact on bats and barn owls that feed in the field / impact on wildlife
- Insufficient ecological assessment
- Addition of c.330 more cars / traffic generation
- Insufficient visibility due to parked cars
- Traffic assessment was not undertaken at school pick up / drop off times
- Travel assessment fails to note that the closest bus stop is on a very busy road, which is not safe for young children
- What provisions would be in place to ensure information is provided prior to occupation
- Out of keeping with the character of the town
- How will construction traffic get safely in and out of the site
- No regards to residential amenity
- Noise and disturbance created by 165 families on neighbours and the AONB
- Traffic often at a standstill currently / insufficient capacity in the local highway infrastructure
- Houses would be too close to the school
- Already a high number of unsold houses in East Cowes and too many second homes
- Significant amount of new development in this area in recent years
- All traffic should use Crossways and Saunders Way and not Whippingham Road
- Adjacent to the AONB
- Pollution caused by extra vehicles
- Removal of green 'lung' which currently offers some off set against fuel emissions
- Council should look at reusing and repurposing additional areas
- Over-development / too dense
- Limited amount of recreational facilities purposed in an area where they are lacking
- Will create a rat run
- Building on the green belt
- Land should be retained as green space
- Land is productive agricultural use
- Limited water pressure and supply
- Poor quality housing
- Lack of parking
- Traffic assessment does not mention the use of Whippingham Road by cyclists as part of the cycle route from the ferry to the rest of the Island
- The Transport Assessment (TA) is for 172 units
- TA was undertaken during the quietest time of year
- There are inconsistencies in the TA
- Traffic generation
- Inward investment needed to match the existing population
- Impact on local economy from loss of farm land
- Brownfield sites should be developed first (i.e. the old medical centre)
- Site is within the SPA buffer zone
- Ecological report does not mention red kites or the species protected by the SPA
- New mature trees need to be planted in the area to comply with the Islands sustainability targets

- We need affordable housing for young families
- Small gardens would suffer from light deprivation, detrimental to health and wellbeing
- Mile from town centre
- The site is currently natural drainage for the area
- Insufficient regulated sports facilities
- Lack of employment opportunities
- Should be solely social housing
- Modular construction would not result in any employment on the Island
- Impact of Brexit
- Area designated for community use
- SHLAA says sites should only be 75 houses
- Disturbance to the school from the construction process
- More leisure / sports facilities needed
- No grey water systems proposed
- Additional toxins released into the atmosphere which would damage listed structures nearby and protected wildlife
- Contrary to the Isle of Wight policy to reduce carbon footprint to zero by 2030
- Proposed cycle route into Crossways is unsupported by any other cycle infrastructure or pavements
- Play spaces and communal areas would need to be maintained, who would pay for this?
- Noise impact from the children's play area
- Impact from nitrates on designated sites
- Contrary to climate emergence policy and world biosphere objectives
- Impact on the setting of nearby listed buildings / gardens
- Site is community asset and opportunity has not been provided to bid for the land
- Completed Saunders Way would not provide alternative route as it is a bus route only
- Street scene would be out of keeping with the surrounding area
- Impact of increased traffic on safe routes to school
- Increase in litter and dog fouling
- Variance with East Cowes town plan
- No public consultation
- Site is not owned by the council but the community
- Flooding
- Insufficient local foul drainage infrastructure
- Heritage panel slated the Council's lack of a cohesive design policy
- Council should not be determining application as they are the land owner

5.9 Cycle Wight have outlined that they are pleased to see that there is a strong mention of active travel but would wish to make the following points:

- From the outset TROs should state that the speed limit within the development is 20mph. The slower speeds will encourage people to walk and cycle
- As far as possible cars should not be parked on the roads. This could be achieved by the use of parking restrictions and soft and hard landscaping. This once again should be from the beginning
- of the development of the site to encourage active travel behaviour from the

outset.

- The centre two roads should have filtered permeability. This would mean cars would have to go around the periphery of the development if they wish to pass through. The central two roads should be designed with 'cars as guest' concept to encourage people to use the space for a wide range of uses.
- There appears to be no access to the joint use path on the west of the development. We suggest three access points. At the south west and north west corner of the development. The third point should be where the road from the development meets Beatrice Avenue. There should be no barriers but a textured surface to make it easy for all non-motor vehicle users to gain access to the path or the development.
- The exit/entrance on Crossways seems to be of little value in its present design. Walkers and users of mobility vehicle users are left without a path. All people accessing this point may well not have a clear view of traffic on the road because of parked cars.

## 6 Evaluation

### Principle of the development

- 6.1 The application site is located within the settlement boundary where policies SP1 and SP2 support, in principle, the delivery of new housing. The proposal would therefore be consistent with the aims of these policies and would comply with planning policy in terms of the location of new housing development.
- 6.2 A number of objections have stated that the application is contrary to SP1, as it does not meet a local need. However, it should be noted that 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. As outlined above, this site is within the settlement boundary and as such no policy requirement is in place to require a local need to be identified. Furthermore, 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."
- 6.3 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.”

- 6.4 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."
- 6.5 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.
- 6.6 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 adjacent to the local primary school and within walking distance of a regular bus route and local convenience store. The site also has existing residential development to two boundaries and within the settlement boundary. Therefore, the site is considered to be within a sustainable in locational terms.
- 6.7 Comments have been received that the existing school does not have sufficient capacity for the additional pupil numbers, that could be generated as a result of this development. However, the Isle of Wight Infrastructure Delivery Plan (IDP), October 2018 states that:  
*The School Capacity Survey (SCAP 2018) has indicated that large-scale strategic development will require new and additional educational facilities, while other development may require improved facilities. It shows that:*
- *The additional need could be met within existing capacity in Sandown, Ventnor, East Cowes, Ryde Rural, West Wight*
  - *There is a potential deficiency in Cowes, Newport, Ryde Town.*
- In light of the above officers considered that there is sufficient capacity to accommodate the proposed development.
- 6.8 In respect of concerns in relation to the capacity at doctors and the hospital; the CCG is responsible for ensuring sufficient provision is in place. The IDP identifies that "there is an estimated increase in demand for primary medical care services of 35% to 2022 due to both population growth and the ageing population". The Plan outlines that "Based on the proposed growth in the Plan, additional demand will be focused on the West and East Medina and Ryde areas placing additional stress on a number of practices that are already fragile. The timing of new developments will therefore need to go hand in hand with the ability of local services to expand". Furthermore, 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.
- 6.9 Concerns have been raised by third parties with regards to the limitations of water pressure in the area and a potential future Island wider issue of water supply. The IDP discussing the issue of water supply, outlining that "*Southern Water's Water Resources Management Plan outlines future options for securing*

*water supplies across the region, including the Isle of Wight. This includes an island wide programme to reduce leakage and offer residents water efficiency home visits for advice on saving water and reducing bills. For the period 2025-2040 there are options to increase the transfer of water from the mainland and further reduce leakage. Southern Water will also review a number of options to increase water supply from treatment works on the Island”.*

- 6.10 Third parties have identified that the application site is productive agricultural land and as such should not be developed. Although it is acknowledged that the site is used for agriculture, it is Grade 3b and as such it is not considered to be high quality or protected from development.
- 6.11 Having due regard to all of the matters outlined above the principle of the development of this site for residential purposes is considered to be acceptable.

Impact on the character of the area, including the setting of listed buildings and the Registered Park and Garden

- 6.12 The application site is an almost square parcel of land with development to three boundaries and the main road to East Cowes to the remaining boundary. In light of the nature of development around the site it has the appearance of a sub-urban area. Following the construction of Hawthorn Meadows that field sits isolated from other agricultural land.
- 6.13 Parish Council comments have raised concerns with regards to the density of the development, suggesting that the proposed 34 dwellings per hectare was “much higher than elsewhere on the Island”. This is not the case. The adjacent development known as Hawthorn Meadows was approved at a density of 55 dwelling per hectare, with the housing development off Old Road (to the rear of Waitrose) having a density of approximately 50 dwellings to the hectare. The proposed development would therefore be of a lesser density to this development and a number of other areas on the Island and within the vicinity of the site.
- 6.14 The application site itself is not within a landscape designation but is located opposite to the Grade II Registered Park and Garden of Osborne and the AONB. The AONB Partnership have not raised any objections to the application, commenting at the EIA screening stage that “The site is not within the AONB but adjacent to Whippingham Road which forms the boundary to the AONB on the East. The AONB in this area is formed of the Osbourne, Norris and Barton Estates which are Grade I and II\* listed Parks and Gardens. As these make up the character of the AONB in this location, any impacts upon them would need to be avoided.....However, it is imperative that comprehensive and robust Heritage Statements are prepared for any application in order to demonstrate that no undue impacts would occur to these designated historic assets as a result of this proposed development”. They also considered that the application should be supported by a landscape and visual impact assessment.
- 6.15 The application was submitted with a Heritage Statement and this is discussed in more details below. A landscape and visual impact assessment has not been submitted but officers consider that the potential key landscape impact would be on the designated park and garden, which is considered within the heritage statement.

- 6.16 The site is also close to the following listed buildings:
- Prince of Wales Lodge – Grade II (c.200m)
  - Osborne Estate - two water towers and latrines and store - Grade II (c.65m)
  - Former entrance block to Osborne House stables, now offices - Grade II\* (c.126m)
  - The Cochrane building at Osborne House - Grade II (c.137m)
  - Osborne house – Grade I (c.467 m)
  - St Mildred’s Church – Grade I (c.690m) (to the south of which is The Old Rectory, which is also Grade II)
  - Albert and Victoria Cottages (1 – 8) – Grade II (c.610m)
- 6.17 The Prince of Wales Lodge (and the gates, piers, railings and side drive gates) are located approximately 200 meters to the north-east of the site. As concluded by the heritage statement, the setting of the assets is considered to make a good/high beneficial contribution to their significance. However, there is no awareness between these assets and the site, due to the distance and intervening built form and vegetation. The proposed development would see the built form set back from the Whippingham Road boundary, which would ensure that this remained the case. As such it is considered that there would be no impact upon the significance of these assets as a result of the proposed development.
- 6.18 The two water towers and latrines and store are positioned approximately 65 metres to the north-east of the boundary of the site. These buildings are considered, within the submitted heritage statement, to have a moderate/good level of heritage significance. There are currently a number of mature trees located to the south west of the towers, latrines and store, which provide a screen so that there is no direct visual relationship between this asset and the site. However, as you approach the entrance to the water towers et al, particularly from the north of the business park entrance, there is an awareness of the site. The hedge to the Whippingham Road boundary of the site adds to the green character of the area to the south, but this also hinders views of the site itself. The application would see the retention of this hedge, albeit set back from its existing location, the building line of the development would also be set back from this boundary, with an intervening area of open space. When viewing the site from the entrance to the business park the proposed buildings on site would be screened by the existing built form along Whippingham Road. This together with the proposed landscaping would ensure that the proposed development would not have an impact on the setting of this asset. It is noted that the proposed right-hand turn land would increase the road network within this area of landscaping, but this is not considered to be to an extent that would impact upon the setting of this asset.
- 6.19 The former entrance block to Osborne House stables, now offices are located approximately 125 metres from the site and are considered to have a good/high level of heritage significance. The immediate setting of this building includes the current business park, to which the former stables provide the central structure. Due to the former use of the stables, the most important aspect of its setting is its association with Osbourne Park and the Prince of Wales Drive to the east, which would have provided access to Osborne House itself. There is currently mature foliage along the boundary of the business park, which limits the view of

the stables from the road to only glimpses. The landscaping together with existing built form results in there being no awareness between the site and the stables. The proposed development would not change this relationship.

- 6.20 The Cochrane Building is located within the business park reference above. The area around this building is covered in hardstanding, providing parking for the business park. The stable block screens this building from Whippingham Road. In light of this together with existing vegetation and the presence of other buildings associated with the business park, the proposed development would have no impact on the setting of this asset.
- 6.21 Osborne House itself is located over 450 metres from the site and due to the existing landscaping and topography there is no visual relationship between the site and the House. As such, the application is not considered to have an impact on the setting of the House.
- 6.22 St Mildred's Church is located approximately 690 metres to the south of the site. The Church is a grade I listed building and has a very high level of heritage significance. Due to the height of the spire there is an awareness of the church from a much wider area than its immediate setting. Due to the existing landscaping and topography there is no inter-relationship between the church and the site. The submitted heritage statement acknowledges that previously the site would have formed a minor part of the rural approach to the church from Osborne. However, this contribution would have been very limited and has now been severed by intervening developments. Officers concur with these conclusions and consider that the proposed development would have no impact on the significance of the Church. The same conclusions can be reached when considering the potential for impacts on the setting of the Alms Houses, Albert and Victoria Cottages, which sit to the north-east of the Church.
- 6.23 The submitted heritage statement also considered the potential for impacts on the setting of 201 and 203 York Avenue, a semi-detached pair of houses located on the south side of York Avenue, approximately 155 meters to the north of the site. The statement concludes that, due to the intervening built form and the high hedges along the northern boundary of the site, the visual relationship between the site and the asset is extremely limited. The proposed development would therefore have no impact on the setting of this asset. Officers agree with these conclusions.
- 6.24 As outlined above, as well as the number of listed buildings within the vicinity of the site, the Osborne Registered Park and Garden is located to the east of the site. The Park spans approximately 240 hectares with Norris Castle forming the north-western boundary, and a Registered Park in its own right, and Barton Manor to the south. The eastern boundary of the Park is formed by Osborne Bay and the western boundary Whippingham Road/York Avenue. The site is located adjacent to this western boundary and as such forms part of its setting.
- 6.25 The western boundary of the Park is enclosed by walls, fences and a thick tree line. The submitted heritage statement suggests that this tree line was planted by Prince Albert and is suggestive of a conscious decision to detach the park from the public realm to the west and focus attention inwards to the private park and Solent.

6.26 The setting of the Park is still rural to the south-west but the area to the north-west and west of the park is formed by East Cowes, giving a more suburban feel. Much of the properties closest to the park have gardens and trees to their roadside boundaries, providing a green context but not wholly rural in character. The heritage statement concludes that when considering the experience of the site from the park, the relationship is limited, due to the mature trees along the park's western boundary. The site is therefore considered to have a neutral contribution to the significance of the Park. When considering this level of significance together with the proposed set back of the built form and intervening repositioned hedgerow and open space, to allow for landscaping, the proposed development is not considered to have an unacceptable impact on the setting of this asset.

6.27 A number of objections have raised concerns with regards to the use of a greenfield site. One first needs to have regard to the fact that, although a greenfield site, the land is located within the settlement boundary. 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.”*

6.28 Comments have suggested that other previously developed land is still available and should be built out first. However, officers consider that these sites already have permission but cannot come forward immediately due to other uses which need to be relocated. Moreover, the site is within the settlement boundary for the Medina Valley KRA and therefore, a sequential assessment for site is not required. Importantly, the Council need to be approving development sites which can be delivered more quickly, in order to provide housing for local people.

6.29 Concerns have been expressed that the development of the site would result in settlement coalescence between Whippingham and East Cowes. The IOW Settlement Coalescence Study April 2018 outlines that:

*“The relationship between East Cowes and Whippingham is very visible from locations across the Medina Valley, e.g. from the cycle way below Medham Farm Lane, and from open locations along the valley floor. There is a danger that further development southwards along the ridge crest will, particularly if it has skyline impact, lead to a sense of St Mildred's Church being contained by the expansion of East Cowes.*

*Open land south of Crossways Road contributes to perception of separation between East Cowes and the industrial/commercial area off Whippingham Road and Saunders Way”.*



When considering the extent of Hawthorn Meadows and the spread of this development southwards, officers consider that the setting of St Mildred's Church from the cycle track would not be affected. It is acknowledged that the land is referenced in the second paragraph and the parcel of land clearly provides an area of open space between the residential and commercial. However, further land would still be retained to the south of the site, notably school playing field, which would continue to provide a relief and is protected from development. Officers therefore consider that the proposed development would not harm the identity of to two areas.

- 6.30 Third parties have raised concerns that the site represents an important 'green lung' within this area. Although officers accept that the parcel of land provides visual open space, the presence of development surrounding the site makes it logical for development is extend into this area, especially considering its inclusion within the settlement boundary. The playing field to the south and open space/agricultural land to the south of Saunders Way protects this character. Officers consider Saunders Way itself has provided a line to delineate the sub-urban and rural character.
- 6.31 The proposed development would result in a change to the immediate character of the site. However, officers considered that the impact would not be harmful, when considering the sub-urban nature of the location, the sites position within the settlement boundary and the limited impact of any development from wider views.

#### Impact on neighbouring properties

- 6.32 The closest residential properties to the site are The Dog House and Crossways. These are located to the north-eastern corner of the field. The indicative layout shows the frontage of the site being set back from Whippingham Road, with an area of landscaping and open space to this frontage. This would ensure that there were no buildings to the rear of these existing properties, significantly reducing the impact on them. It is acknowledged that the open space could result in a level of noise, but this is not considered to be significant and could be minimised through the use of landscaping on the shared boundary.
- 6.33 The indicative layout does show units being positioned alongside The Dog House. However, a landscaped buffer of 8.5 metres would ensure that the built form itself would not result in any over-dominance or over-looking of this property. The use of the site for residential development is considered to be compatible with these neighbouring properties and it is therefore considered by officers that the proposed development would not result in an unacceptable impact on the residents of The Dog House.
- 6.34 Concerns have been raised by local residents that the proposed development would create additional noise and disturbance from a further 165 families on neighbours and the AONB. Officers consider the use of this parcel of land would be compatible with the residential character of this area and although the simple presence of additional properties would add to levels of noise, this would not be unacceptable in the context of the site, surrounding area or neighbouring uses.

- 6.35 Third parties have raised concerns that houses would be too close to the school. Officers consider that the two users are compatible, and one would expect to see a school located within a residential area. The indicative layout plan shows the closest property as being 10 metres from the Children’s Centre. This would be sufficient to ensure no overdominance would result from the proposed dwellings.
- 6.36 Comments have raised concerns that the increase in vehicles would result in additional pollution, thus impacting on residential amenity. Environmental Health originally outlined that an air quality assessment was submitted. However, further clarification was sought on this matter and it was confirmed that the guidance from the Institute of Air Quality Management 'Land-Use Planning & Development Control: Planning for Air Quality' outlines 7 situations where an AQ impact assessment (AQIA) is required. This includes any development which would be likely to cause an increase of 500 cars per day along Beatrice Avenue. Environmental Health outlined that, if the traffic consult could show that this would not be the case, they would be satisfied a AQIA would not be required. Confirmation was provided that the daily traffic generation figure onto Beatrice Avenue would be 353, which would be below with 500. As a result, Environmental Health confirmed that they would not require a AQIA. It is therefore considered that the application would not result in unacceptable levels of air pollution.
- 6.37 Having due regard to the above matter Officers are satisfied that the application would not result in an unacceptable impact on neighbouring properties.

#### Ecology

- 6.38 The site comprises an agricultural field bordered with priority hedgerow habitat. The application has been supported by a Phase 1 Ecological Appraisal (Ecological Services Ltd, August 2019) and a Dormouse Survey. Results of on-site surveys show several legally protected species are present, including dormice.
- 6.39 The submitted report highlights the importance of the surrounding hedgerows which is a Biodiversity Action Plan feature and should be retained where possible. Policy DM12 expects development proposals to “positively contribute to meeting the aims and objectives of the Isle of Wight’s Local Biodiversity Action Plan”. The reports also state that additional hedgerow would be provided, which would form part of a 1.5 metre buffer zone for wildlife. Concerns are raised that if this buffer zone was within private gardens it could create risk of damage or removal. In light of this a condition is recommended that the buffer zone is not part of any private garden. This could be achieved through the use of post and wire fences around the buffer zone, which would allow mammals etc. through but provide a clear delineation between what is private garden and wildlife zone.
- 6.40 The interior of the site is currently intensively worked for agriculture. Biodiversity value here is therefore limited. However, potential for lapwing forage habitat has been identified. Landscaping plans for the benefit of wildlife have been recommended and it is important that open space and green infrastructure is delivered through development. Calculations to demonstrate the delivery of biodiversity net gain on site have been submitted. The Council’s Ecology Officer

raises some scepticism that the density of the development would allow for the ecological gains to actually be achieved. However, with the removal of a specific number of units for the final layout can be designed with due regard to the requirements of biodiversity net gain.

- 6.41 The biodiversity gain measures proposed would need to be secured to make the development acceptable. Therefore, a condition is recommended requiring a Landscape and Ecological Management Plan which should be within conformity with the recommendations set out within the Ecological Appraisal. Any development may also require a licence to be applied for to undertake works to/ close to the existing hedgerows or recorded protected species. This would be outside of the planning process.
- 6.42 The application is located with the Solent Special Protection Area Buffer Zone. In line with the Council's partnership with Bird Aware, a contribution would be paid towards the mitigation strategy.
- 6.43 Confirmation has been received that foul sewerage from the application site would discharge to Southern Water's Sandown Waste Water Treatment Plan and as such would not impact upon the issue of nitrates identified within the Solent.
- 6.44 Concerns have been raised that the level of development would result in additional toxins causing harm to wildlife. The application is not considered to be of a scale to cause significant harm, as the application site is not located within an air quality limit zone.

#### Highway Consideration

- 6.45 As outlined above the site would have two accesses, one via a priority junction formed onto Beatrice Avenue and the other a priority junction with associated right turn lane off the A3021 Whippingham Road. A footway/cycle link onto Crossways Road would also be provided. In association with this link provision is also made for the extension and widening of the existing public footway that runs along the Crossways Road frontage of the site albeit this stops short of the junction with Whippingham Road due to third party land.
- 6.46 The Highway Engineer from Island Roads has confirmed that both the Whippingham Road and Beatrice Avenue junctions comply with design standards reflective of the posted speeds limits (30mph Beatrice Avenue and 40mph Whippingham Road), volume and nature of traffic anticipated to be associated with the level of development. In addition the footway works within Crossways Road would provide necessary highway safety gain and it is recommended that should this proposal be supported, a condition be imposed securing the provision of a 3.0m wide footway/cycle link between the site and Crossways Road, with associated offsite improvements, which would include footway widening, signing, lining and the provision of a uncontrolled crossing point to allow connectivity to the existing 'Greenway' on the Hawthorn Meadows Estate.
- 6.47 For completeness it is acknowledged that the submitted highway plans make reference to the repositioning of the speed limit, on Whippingham Road. The implementation of such a change cannot be guaranteed as part of the planning

process and the applicant would have to make separate application to the Local Highway Authority for the existing associated Traffic Regulation Order to be changed. Island Roads have evaluated the submission in light of the existing speed limit and is satisfied that the required junction design standards are achievable irrespective of the speed limit being 30 or 40mph.

- 6.48 Over and above the proposed junction arrangements consideration has also been given to accessibility to local public transport links, walking and cycle routes. While there are no bus stops directly adjacent to the site there are north and south bound stops outside of the entrance to Osborne House circa 230m from the proposed Whippingham Road junction which were installed to be DDA compliant and served by shelters. These stops also benefit from a zebra crossing that provides connectivity between the stops. On evaluation when considering the proximity of these stops, the existing footway links and zebra crossing, it is not considered to be sustainable to require the provision of an additional stop immediately adjacent to the site. It is acknowledged that there is another set of bus stops to the south of the site on Whippingham Road (outside of the entrance to Barton Manor) of which the south bound waiting facilities is limited and no provision is made for an associated crossing point. However on evaluation, there appears to be little that could be done from a highway safety perspective to improve this facility, and when considering the distance of the stop from the site (c.500m) and that users would have to make two uncontrolled crossing to access it, it has been concluded that residents and visitors to the proposed development would use the Osborne House stops over those at Barton Manor.
- 6.49 Looking to the wider footway network the site benefits from good walking routes via Beatrice Avenue and Whippingham Road providing linkage to the surrounding residential areas and local amenities. However, it is recommended that if approved the applicant be obligated to remodel the existing footways at the junction of Crossways Road with Whippingham Road / York Avenue to provide for an uncontrolled crossing point to assist the mobility impaired and provide access to the local bus stops.
- 6.50 On review of local cycle facilities as identified earlier within this report a 'Greenway' provided as part of the Hawthorn Meadows development runs from Harvey Close adjacent to Beatrice Avenue linking into the public right of way network at St Mildred's Church. The proposed footway cycle link in the northwest corner of the site is deemed to be essential as providing a link to this facility. Island Roads have also recommended that should the LPA approve this application a contribution be taken towards wider network sustainable / green travel improvements in order to maximise sustainability and minimise the dependency on the private motor vehicle.
- 6.51 Sections 3.5 and 6.0 of the Transport Assessment that accompanies this application evaluate the existing operation of both the wider and local highway network and the impact of the anticipated development-based traffic upon it. On review it is accepted that the junctions within the local vicinity of the site operate within capacity (Barton Manor Roundabout, and Beatrice Avenue staggered junction) and that when looking at them from a standalone perspective the same has been demonstrated for the wider network junctions (Racecourse Roundabout, Fairlee Road / Staplers Road / Snooks Hill signalised junction) both with and without the proposed development. Albeit they are pushing into

their reserve capacity.

6.52 However, Island Roads have outlined that, what the submission fails to acknowledge is that in the AM / PM peaks there are considerable existing traffic queues on the A3054 Fairlee Road / Racecourse and Staplers Road, Newport that all relate to operational capacity of Coppins Bridge Gyratory. When considering the distance of the site from this junction and the potential alternative destinations for its occupants, Island Roads have considered the sustainability of a standalone refusal on this matter to be questionable. In light of this, Island Roads recommend that should the LPA seek to approve this application and deem it to be reasonable, a contribution should be taken towards wider network (Newport) junction improvements. As outlined above it is also recommended that the developer should be obligated to make a contribution toward sustainable travel improvements (Newport – East Cowes Greenway) to minimise network impact. The traffic generation associated with this proposal is therefore not deemed to have a negative impact on the capacity of the highway/project network so as to provide a sustainable standalone highway reason for refusal subject to contributions being made to wider network projects. However, officers do not consider it would be reasonable to take a contribution towards Newport junction works, as there is no current mechanism to establish a percentage cost, or what works the scheme would be contributing towards. Officers therefore consider it is more appropriate to take a significant contribution towards improvements to sustainable transport links, to encourage sustainable modes of travel, and thus reduce car travel.

6.53 On review of accident data made available to Island Roads and that referenced within Section 3.6 of the submitted Transport Assessment the Highway Engineer concurs with the conclusion that has been made;  
*“Further to a review of the PIC data recorded during the most recent five-year period, it can be concluded that there are no existing highway layout characteristics that result in road safety issues.”*

In addition, the highway engineer has confirmed that Island Roads are satisfied that the proposed junction arrangements and network improvements proposed are not anticipated to have a negative impact on the local highway network or the safety of its users.

6.54 Due to the limited width of Crossways at its eastern end and the level and nature of pedestrian and vehicular traffic using Beatrice Avenue during peak times (predominantly associated with Queensgate Primary School) the highway engineer recommends that the applicant be obligated to ensure that all construction traffic enter and exit the site from the A3021 on highway safety grounds, using Barton Manor Roundabout (Saunders Way / A3021 junction) as a means of turning to minimise the risk of standing vehicle on the public highway. The onsite layout during the construction phase should also provide adequate spaces for the loading/unloading, parking and turning of construction and operative vehicles in order to minimise pressure on the local highway network. It is recommended that each of these aspects be covered by condition.

6.55 Concerns have been raised that the access to site would be too close to the school. The plans show the Beatrice Avenue entrance as being 95 meters from the boundary of the school. This is considered to be an acceptable distance, having regard to the proposed footways works which form part of the

application.

- 6.56 Third party comments have raised concerns with regards to the timing of the Transport Assessment (TA). However, Island Roads are satisfied that this assessment was undertaken at a suitable time of year to provide an average for the assessment. It has also been outlined by third parties that the TA has been undertaken on the basis of 172 units. As this is greater than the number being proposed there is no objection to the difference.
- 6.57 A submitted comment has suggested that the Saunders Way link should be opened prior to this development being undertaken. However, these works have no association with this development and would not access directly onto this road, it would therefore not be reasonable to make this a requirement of this development.
- 6.58 Subject to the conditions recommended above it is considered by officers that the application would not result in an unacceptable level of impact on the highway network or highway safety.

#### Other Matters

- 6.59 Third parties have raised concerns that the site currently provides natural drainage for the area, that there is insufficient foul drainage infrastructure and flooding. A development would not increase the level of surface water drainage but could increase the speed to which water enters the natural water courses. However, any new development on non-previously developed land would need to ensure that surface water attenuation achieves speeds which are thirty percent less than greenfield run off rates. In light of this requirement, development would control the rate of surface water discharge through attenuation, to reduce the potential for flooding. In light of this and the need to ensure there is adequate capacity for foul disposal, conditions are recommended in this regard.
- 6.60 Comments have suggested that there are inadequate regulated sports, leisure and recreation facilities in the area to accommodate further development. However, immediately to the south of the site is East Cowes Vics football club and a MUGA, which provide for structured football. The site includes areas of open space and a play area, the Pavillion Community Centre, skate park and associated open space, Jubilee Recreation Ground, Osborne Golf Club and Osborne Registered Park and Gardens. Although it is acknowledged that some of these require membership to access, not all do and together provide significant infrastructure for local residents.
- 6.61 Concerns have been raised that the application is council land, yet the council are the determining body. However, this is common practice and is the reason the application is being considered by the committee, in line with the constitution. This is therefore an immaterial representation to the decision.
- 6.62 Third party comments outline that the site has a covenant, requiring it to be used for community uses. Any such covenant would not be a material planning consideration and any approval of the application would not override anything placed on the site by other legislation.

- 6.63 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)
  - £75,000 Sustainable Transport contribution

## **7. Conclusion**

- 7.1 Having 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 located within the settlement boundary and as such a sustainable location, in accordance with the NPPF and policies DM3 and DM4.
- 7.2 It is acknowledged that the proposed development would change the character of the site, which is currently a field, but Officers consider that it would not have an unacceptable impact on the character of the area as a whole, the Registered Park and Garden, AONB or the setting of adjacent Listed Buildings, in accordance with policies DM2, DM11 and DM12.
- 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.

## **7 Recommendation**

- 7.1 Conditional Permission, subject to a Section 106 Agreement the terms of which are set out in paragraph 6.63 above.

## **8 Statement of Proactive Working**

- 8.1 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 was submitted 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. 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 the updated Phase 1 Ecological Assessment (Ecological Services Limited, August 2019), 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. Creation of green and dark corridors throughout the site and habitat creation/enhancement for invertebrates, dormice, bats and birds.
4. A sensitive lighting strategy to protect nocturnal species, including dormice and bats.

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. Boundary hedgerows and wildlife buffer zones shall not be positioned within private gardens.

**Reasons:** To ensure that the proposed development would not have an unacceptable impact on wildlife, including dormice in accordance with DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

5. 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) Routing plan and associated signage to ensure that construction traffic enter and exit the site from the A3021, using Barton Manor Roundabout (Saunders Way/A3021 junction) as a means of turning to minimise the risk of standing vehicles on the public highway;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi) wheel washing facilities;
- vii) measures to control the emissions of noise, smoke, fumes, dust and dirt during construction
- viii) 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.

6. No operations except the construction of the priority junction, dedicated right hand turn lane and associated footway works serving the site from the A3021 Whippingham Road shall be carried out until the junction and associated access road has been constructed based on the layout as detailed on drawing no. CCL-8-1879-H-XX-SKE-001-P1 Rev A and in accordance with the details to be submitted to and approved in writing by the Local Planning Authority. Nothing that may cause an obstruction to visibility shall be placed at any time in the visibility splays shown on drawing number CCL-8-1879-H-XX-SKE-001-P1 Rev A. No other vehicular access to or egress from the site shall be used at any time and all other vehicular accesses to the site shall be stopped up in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the access road is constructed with due regard to highway safety and the local environment and to comply with policies DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

7. No dwelling shall be occupied until the parts of the service roads which provide access to it including for the junctions serving the site from the A3021 Whippingham Road (based on the layout as detailed on drawing no. CCL-8-1879-H-XX-SKE-001-P1 Rev A) and Beatrice Avenue (based on the layout as detailed on drawing no. CCL-8-1879-H-XX-SKE-004-P3) 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.

8. 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.

9. 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.

10. 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.

**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.

11. No building shall be occupied until a shared use footway / cycle link giving rise to a minimum clear usable width of 3.0m has been provided between the site and Crossways Road including for highway network improvements at the junction of Crossways Road / Beatrice Avenue / Harvey Close to provide accessibility to the existing 'Greenway' that runs adjacent to Beatrice Avenue, 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.

12. No dwelling shall be occupied until the footway improvements as detailed on drawing no. CLL-003 Rev P1 have been constructed 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.

13. No dwelling shall be occupied until the existing footways at the junction of Crossways Road, Whippingham Road, York Avenue have been remodelled to provide for an uncontrolled pedestrian crossing (north-south) 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.

14. 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.

15. 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.

16. 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 Whippingham Road 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.

17. 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.

18. 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.

19. No part of the development hereby permitted shall commence until there has been submitted to and approved in writing by the Local Planning Authority parts a) and b) below. Parts c) and d) shall be required as necessary.

a) a scoping document outlining the required intrusive investigation of the site in accordance with national guidance as set out in Contaminated Land Research report no's 2 & 3 and BS10175:2011+A2:2017;  
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+A2:2017 – “Investigation of Potentially Contaminated Sites – Code of Practice”;  
and, unless otherwise agreed in writing by the Local Planning Authority,

c) a remediation scheme to deal with any contaminant including an implementation timetable, monitoring proposals and a remediation verification methodology. The verification methodology shall include a

sampling and analysis programme to confirm the adequacy of decontamination and an appropriately qualified person shall oversee the implementation of all remediation;

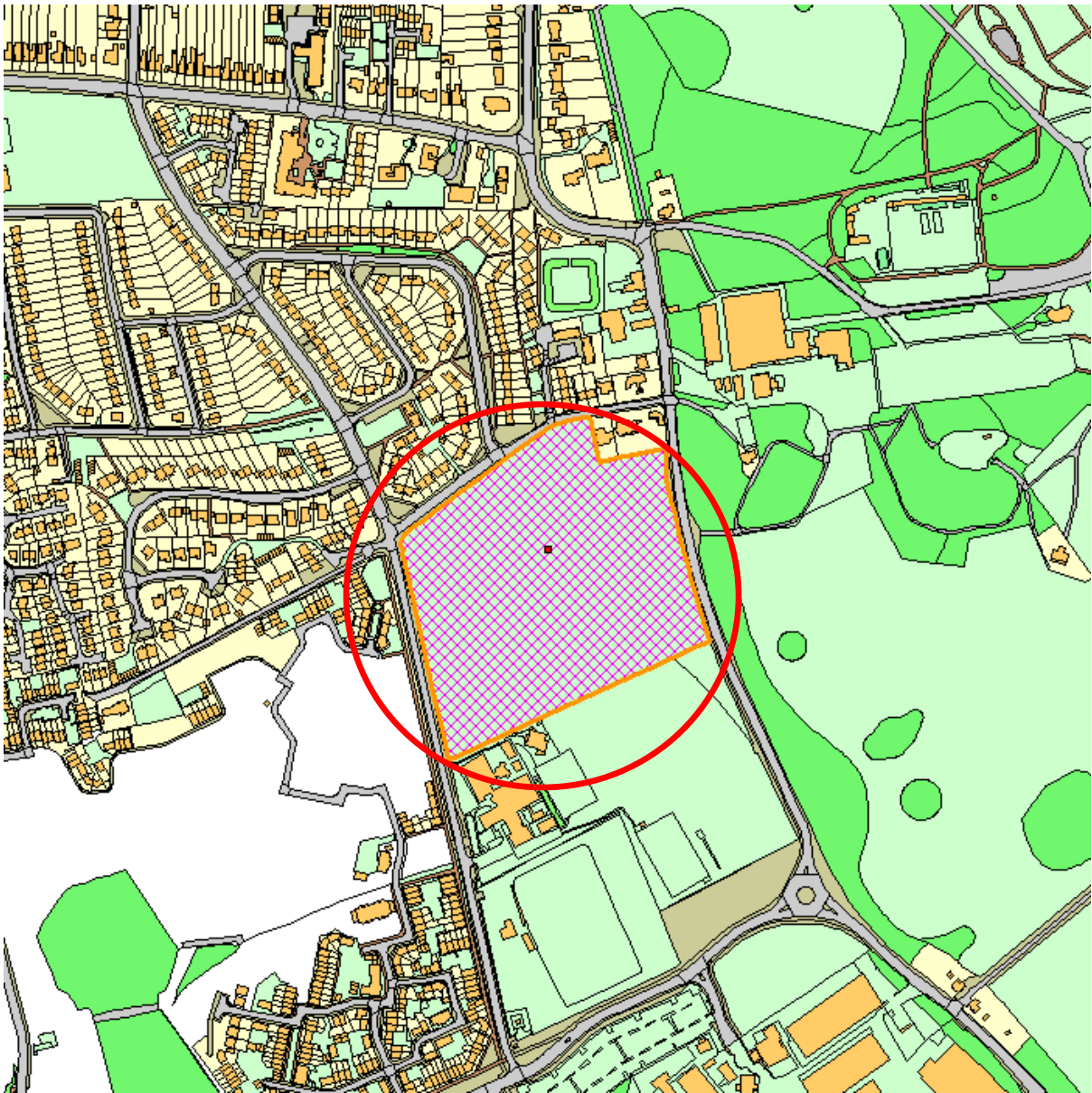
- d) The investigator shall provide a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate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

The construction of buildings shall not commence until such time as is approved by the Local Planning Authority.

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

- 20. 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.



Scale:1:5000

**02 Reference Number: 19/00310/FUL**

**Description of application:** Proposed new sports facility providing ice rink, tennis courts and ancillary facilities, with car parking (additional information relating to ecology and sports provision received – re-advertised application)

**Site Address:** Land adjacent to Smallbrook Stadium, Asheys Road, Ryde Isle of Wight PO33 4BH.

**Applicant:** Dr Zyrieda Denning

**This application is recommended for: Refusal**

**REASON FOR COMMITTEE CONSIDERATION**

The proposed development is considered to be of Island-wide significance and therefore, in line with the Council's Constitution, has been referred for Committee consideration.

**MAIN CONSIDERATIONS**

- Principle of the development
- Impact on the character and appearance and the site visually
- Impact on the character and appearance on the surrounding area visually
- Consideration of neighbouring amenity
- Consideration of designated sites nationally and locally
- Impact on the loss of a sports pitch
- Tree and ecology considerations
- Highway and transport issues
- Sustainability issues

**2. Location and Site Characteristics**

8.2 Smallbrook Stadium Asheys Road Ryde Isle of Wight PO33 4BH.

8.3 The proposed development would be located within the Wider Rural Area, as defined by the Island Plan Core Strategy. Therefore, the scheme does not fall within a designated settlement boundary and as such, the nearest town to the scheme would be that of Ryde. The site is located approximately 700 metres from the defined Key Regeneration Area of Ryde.

8.4 Despite the relatively close proximities to the settlement boundary and the town of Ryde, the character of the site is predominately rural in nature. The surrounding area is made up of open countryside and rolling hills. The landscape is vast and open to the east with dense vegetation within the vistas of the site. The character of the area is therefore verdant to the south and east and the proposed building would be positioned to the rear of the existing stadium and therefore would be significantly screened by the current built form and the position of the building within the plot.

8.5 Smallbrook Stadium comprises of running track, stadium stand and associated stands along with parking and hardstanding. The development is proposed to take place to the east of the existing stadium on land which currently consists of a greenfield, used as a sport pitch for a range of sporting activities.

## **9 Details of Application**

9.1 Full planning permission is sought to construct a new sports development, of alongside reconfigured internal alterations to the access arrangement, plus the d of 111 parking spaces for the sole use of the facility. The development would also incorporate cycle shelters and emergency vehicle access point.

9.2 The submitted plans show that the proposed new sports facility would provide a mix of uses, with the following shown on the floor plans provided:

- Three tennis courts
- Two multi-use courts for activities such a basketball, netball, volleyball.
- Climbing wall
- Trampoline area/mini football/under 12-year-old play area
- Ice Rink and associated seating and changing rooms
- Café/bar
- Changing rooms
- Kitchen
- Reception
- Shop
- Medical first aid room.

9.3 The proposed leisure facility would offer a contemporary and modern design, there would a number of statement sections, with the overall design of the building offering an 'L' shape appearance. The sections are therefore varying in terms of their dimensions. The proposed development would offer maximum dimensions of 172.00 metres by 72.00 metres, with the proposal being finished with glazing and a tent canvas mix.

The proposed development would offer a maximum height of 13.00 metres in relation to the north facing, side elevation. The development would offer a westerly principle elevation, which would orientate towards the existing Smallbrook Stadium.

9.4 The development would be positioned within the site to offer a westerly facing principle elevation, located approximately 70.00 metres to the rear of the existing Smallbrook Stadium building. The proposed parking would be located to the principle elevation of the development, on land between the existing stadium and the proposed building.

## **10 Relevant History**

10.1 No relevant history

## **11 Development Plan Policy**

National Planning Policy

11.1 The National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a



material consideration on determining applications. At the heart of the NPPF is a presumption in favour of sustainable development.

- 11.2 The NPPF states that sustainable development is a core issue for the planning system and sets out three roles (economic, social and environmental) that should be performed by the planning system.
- 11.3 The NPPF places a “presumption in favour” at its core, citing that development in accordance with an up-to-date Local Plan should be approved.
- 11.4 The NPPF sets twelve principles and these include encouraging the reuse of existing resources and effective use of previously developed land and encourages that policies and decisions should seek to address barriers to investment (particularly infrastructure) as part of encouraging economic growth.
- 11.5 Section 8: *Promoting healthy and safe communities* (includes community facilities and local services) and includes Paragraph 92 ‘To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should’:
- Guard against unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.
  - Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.’

Section 11: *Making effective use of land.*

Section 12: *Achieving well designed places.*

Local Planning Policy

- 11.6 Island Plan Core Strategy

SP1 Spatial Strategy

SP5 Environment

SP7 Travel

DM2 Design Quality for New Development

DM7 Social and Community Infrastructure

DM8 Economic Development

DM11 Historic and Built Environment

DM12 Landscape, Seascape, Biodiversity and Geodiversity

DM13 Green Infrastructure

DM17 Sustainable Travel

- 11.7 Guidelines for Parking Provision as Part of New Developments SPD

- 11.8 Guidelines for Recycling and Refuse Storage in New Developments SPD

## **12 Consultee and Third-Party Comments**

### Internal Consultees

#### **12.1 *Environmental Health***

The consultee has stated that the development will not have an adverse impact regarding noise, odour and fumes.

#### **12.2 *Ecology Officer***

An Ecological Assessment provided demonstrates that the site is of little ecological value. However, a suitably worded condition could be applied to secure the measures of a precautionary site clearance.

#### **12.3 *Tree Officer***

Having now reviewed the arb information provided it is felt that that if the correct protection is given to the trees during any development it is possible to prevent an adverse impact to the trees located around the perimeter of the site. One planning condition is recommended by the Tree Officer, if the scheme is supported.

#### **12.4 *Island Roads***

Initial comments received from the consultee provided the following, summarised, points of concern on this application and therefore recommended refusal on the proposal for the following grounds:

- Unsustainable nature of vehicle access from Ashey Road due to a lack of visibility
- Lack of information in respect of traffic impacts on the wider network, and lack of information relating to opening hours.

#### **12.5 Concerns were raised in respect of the impact on the following junctions:**

- Smallbrook Lane / Great Preston Road priority junction
- Smallbrook Mini Roundabout (Ashey Road / Smallbrook Lane / Carters Road junction)
- Westridge Cross signalised junction (Great Preston Road / Bullen Road / A3055)
- Ashey Road / Upton Road priority junction
- Upton Cross (Carters Road / Gatehouse Road / Stroud Wood Road / Upton Road).

#### **12.6 Island Roads also highlight the following concerns:**

- Insufficient information has been supplied in respect to the proposed level of onsite parking
- The onsite access road would be if insufficient width to allow vehicles to manoeuvre safely
- Lack of information in respect of alternative means of accessing the site, rather than the car.
-

- 12.7 Despite further information being submitted, Island Roads has concluded that the revised plans do not alleviate previous concerns in this regard and that the issues surrounding the following highway elements still stand:
- Generation of traffic onto a classified road; visibility
  - Insufficient information in terms of traffic impact onto a public highway- list of junctions provided
  - Insufficient information in terms of proposed operational hours and impact on the highway network- list of junctions provided
  - Insufficient information in terms of parking provision
  - Inadequate access width based on the revised plans
  - Unsustainable location; no details have been given of any deliverable measures to reduce the need to travel to and from the development by car, or that steps have been taken to provide suitable measures for public transport, bicycle or foot.

#### 12.8 ***Public Rights of Way***

The Rights of Way Manager originally raised concern to the proposal and how Public Footpath R50 had not been shown on the plans and had not been considered within the application. Based on a further plan being submitted, the consultee has revised their comments and consider the additional plan to be acceptable in principle to satisfy public rights of way in this instance.

#### 12.9 ***Emergency Management Team***

The consultee has advised that the site is not within an area at risk of flooding and have raised no objection.

#### External consultees

#### 12.10 ***Natural England***

The consultee has objected on the following grounds:

- Uncertain how waste water will be disposed of from the site and the potential impact on the receptors for waste water
- The development will result in the loss of a greenfield site, leading to the loss of biodiversity and no compensation/mitigation measures have been proposed in this instance
- Biodiversity Mitigation and Enhancement Plan in a format which can be conditioned is required to be provided.

Subsequent information has been provided by the agent. However, as outlined below in this report, the further information provided within the updated Ecology Report, submitted 9 October 2019 has not alleviated concerns and their original objection still stands, with a request for further information in this regard.

#### 12.11 ***Sport England***

##### *Initial comments*

The consultee has stated that the development would prejudice the use or lead to the loss of use of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning

(Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The following concerns have been raised:

- The proposal will result in the loss of a playing field which measures approximately 1.4ha and appears to have been used for a mix of pitch sports.
- The IW Council is undertaking work on a new Playing Pitch Strategy. However, this is currently at the early stages and there are no findings to report that the playing field will be removed.
- There is insufficient evidence to demonstrate that the proposal would be of sufficient benefit to sport as to outweigh the harm caused by the significant loss of playing field at the site.
- The development is not considered to be in accordance with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF.

12.12 Further to the above, Sport England have provided additional comments based on the applicant's agent submitted further information in response to the concerns. The following concerns from Sport England have been stated:

- The information provided is not robust to address concerns raised in the initial response.
- The information provided does not provide a technical insight into how the site is unsuitable to be used as a playing field, as suggested by the applicant and without the findings of the Playing Pitch Strategy
- There is no evidence that there is an excess number of playing fields and it is likely that the playing field land may be required for pitch sport now, or in the future
- Question the level of sustainability within the proposal.

12.13 A Benefit Case for Sport England document was subsequently submitted by the applicant's agent. Sport England have concluded

- The claim that there is an excess of playing fields in the area cannot be agreed with.
- It is prudent to wait for the findings of the updated Strategy in order to formulate an understanding as to what the Island will need in terms of playing pitches both now and in the future.
- The supporting document does not articulate or provide robust evidence which indicates that the proposed mixed facility will meet an identified strategic need on the Island.
- Concern how the proposed design would meet Sport England or relevant national governing body design guidance and whether regard has been had to these documents within the revised submission of the supporting document.

12.14 Sport England conclude that information provided during the course of the application does not materially affect their position on this proposal. An objection is still raised in this instance.

12.15 ***Go South Coast (Southern Vectis)***

The external consultee has confirmed that the nearest bus service is the Number 37, operating hourly during the daytime, located 1.05km, as the crow flies over grazing land and the Number 2/3 which operates every 15 minutes;

located 1.2km as the crow flies. The application site itself is not served by public transport due to its location, and lack of commercial viability for such a service. The following objections have been made in response:

- The Block Plan does not illustrate how a bus could access the site, where it would call
- The plans would need to be configured to allow for proper bus access and turning circles with competent swept path analysis for buses to access the site.
- The Plans fails to show how coaches of up to 15m will be accommodated and how they can turn around in the site. This needs to be provided with the application
- It is hard to recall such a poor Transport Assessment that does not consider the transport generation, modal split to such a development and impact on the network whilst at the same time simply wishing that the site would be sustainable in transport terms.

12.16 The consultee state that they have made clear to the promotor of the site that based on the evidence presented to date there would be no case for a commercial bus operation.

Furthermore, in the absence of a fit for purpose Transport Statement assessment will have to proceed on the basis that a bus service will not be able to access the site, especially considering such uses are often evening and weekend.

12.17 If the Planning Authority wished the site to be accessed by bus the site layout needs to accommodate buses and a financial contribution secured from the developer for service operation.

### Third Party

12.18 240 comments were obtained in relation to this proposal, the following summarised 228 comments of support were received:

- A great project for the Island, providing an income for the local economy
- Provide leisure facilities, somewhere for homegrown talent to train
- Lack of transport and the roundabout are issues for the Council and Southern Vectis to sort out.
- Improve residential amenity
- Would bring community benefits
- The centre is eco-friendly which we need more new buildings to be to improve sustainability
- The Council needs to be supporting the scheme as if not it will be a great loss to the Island
- After the closure of the previous ice rink this would fill a void for the community for many users
- Will help overcome health and social issues
- Help overcome anti-social behaviour and boredom on the Island
- Would be in a close proximity to Smallbrook station
- The previous ice rink benefited so many people
- Support the development for the purpose of ice skating and ice hockey
- Fantastic for tourism and an all year round/ all-weather facility

- Needed for the future of the Isle of Wight
- This is a great location
- Great for fitness and young people on the Isle of Wight
- Improve opportunities for people of Ryde
- Will generate a much-needed income and jobs for the area
- A great asset to have and addition
- Would be a great investment
- Currently a disturbing lack of facilities available
- This will attract visitors from the mainland
- Would also increase tourism in the winter months due to the ice hockey
- Make a difference to both children's and adults
- Help towards the obesity crisis
- Provide social opportunities to spectate and watch sport and socialise
- The variety of activities offered will complement each other
- It is likely to be available much sooner than alternative facilities on the sea front which the current owners refuse to sell at a reasonable price
- Overcome the low level of Council provided sports facilities in Ryde and is close to areas of deprivation
- Wide range of activities for families
- The plans show good access and facilities for people with disabilities
- Wildlife has been taken into consideration
- The mixture of activities will make the site more economically more viable than a single or dual use sports centre
- The lack of ice rink on the Island currently means that people have to travel to the mainland to keep doing the sport that they love, costing more money and impacting upon children's lives due to the any social hours associated with the travel
- Safe public access by train and or bus must be essential for everyone
- Travel services need to be discussed and acted upon with both Southern Vectis and the Island Trains
- Can provide international competitions in the world of figure skating
- People used to travel over to use the ice rink from the mainland, with people staying for holidays and this has been lost through the closure of the ice rink
- Development will become an icon for health and wellness on the Island
- Attract all ages groups, but offer concern as to how you would get to the sports centre if unable to drive
- Motorcycle and bike parking should be encouraged and not shown on the plans as they take up a lot less space
- Mental health is at breaking point on and sport would assist with this
- Smallbrook is crying out for some form of investment and this will help the Island's economy. Transport links need to be improved to make Smallbrook work for everyone
- Needs to be a focus on indoor sports facilities such as this
- Concern over the traffic access, but hope that all involved will have carried out the required studies to resolve issues
- If public access can be made to Smallbrook Junction, then this facility will be easily accessible to the Sandown Bay Community and thus have a positive impact overall on the East Wight area
- The development will mean the need to sort out the dangerous junction on the corner and improve access

- Support of the sports facility, but further consideration of the transport aspects needs to take place in terms of bike or on foot options
- The benefits outweigh the objections made
- There is a need for indoor tennis courts and currently children have to travel to Portsmouth to access such facilities
- Support of the scheme but would prefer a more sympathetic design to the agricultural landscape around, for example with wood clad barns
- We need more high quality, state of the art development such as this
- Smallbrook is very run down and needs improving
- Support of economic development
- Would gain back the ice rink as well as providing more facilities
- There is nothing which cannot be overcome with a coordinated effort by the Council who are already committed to infrastructure investment around the Smallbrook Junction
- This is great for fitness, although concern over it being a bit off the beaten track, but I am sure it could be sorted
- This is a great opportunity and enhance the Island's sporting opportunities
- This is needed but has to be accessible to all and not over priced
- Less travel across the Island to access facilities which currently is not environmentally friendly
- Sports facilities on the Island are currently oversubscribed, and events end up being cancelled
- Netball pitches such as this are needed for competing teams
- Fully support of the scheme on the basis that the facility is served by public buses to ensure that all members of the community can use it and not just the privileged enough to have their own transport
- A place where people can meet and have fun
- The development will encourage revenue for the island and many companies
- 70% of the Island's population is currently within a 20-minute drive of the proposed new facility
- It will, of course, be imperative for the Council to improve pedestrian and cycling access to the Smallbrook site from both Ryde town and the planned neighbouring residential developments. I understand that the Council is already looking at options for this. In addition, the Council should support this proposal by incorporating within its Transport strategy, steps to create public transport connections from Island Line and the Southern Vectis bus route network.
- Facilities in the largest town on the Island, Ryde are under served by leisure facilities
- There is a lack of all-weather activities
- I hope Southern Vectis would consider running a regular service to and from Ryde bus station
- The development looks great
- Would be a unique and needed asset for the young community on the Island
- It is important that Island Line trains, Island Roads and Southern Vectis support the application and provide positive solutions to barriers identified showing they have the vision to support this opportunity
- There will need to be support from other Island companies in terms of transport and a possible permanent path from Smallbrook Stadium
- This development would change people's lives and would see less kids

hanging around on the streets

- Hope that our MP will help us attract the needed funding for this modern sports facility
- This will avoid a lot of travel to the mainland to access facilities
- The previous ice rink had the whole package, hockey, figure skating, disco sessions and more, the junior club thrived, kids had a new challenge. This development would be a bigger and better complex providing a better experience
- We have so many barriers to tourism on the Island and this would be a great investment to boost the tourism
- People would have the opportunity to become better athletes
- People will not be cycling with their equipment as per Island Road's comments
- The improved infrastructure will increase footfall at the whole site
- Access to the cricket pitch will be improved
- Objections are based on assumptions
- Deliberately harmful that Ryde Town Council and Ryde Society have objected at the last minute, it is an obligation of local government both at town and county level to support community initiatives to improve the fitness and opportunities of residents
- Need to come together to overcome obvious obstacles, how else are communities going to move forward and achieve something

12.19 Ten letters of objection were received in this instance, with the following summarised comments.

- Forget the number of car parking bays - for environmental reasons, free methods of sustainable transport should take priority.
- Bus travel is expensive and not everyone can afford it.
- The stadium is being sited close to an area of high economic deprivation. Many of the residents of this area would greatly benefit from and enjoy accessing the facilities but this application makes it impossible for them to even get there without a car. If this application is really for the people of the Island (and not just a wealthy few) then it needs to make a clear commitment to easy, safe and affordable for people to actually get to the stadium.
- Smallbrook Lane and Ashley Road are extremely dangerous roads and impossible to walk on safely for adults, let alone children.
- At present there are no real commitments to sustainable transport options in the application, merely an indication that they will rely on Ryde Town Council to apply for grants and on the development at Pennyfeather which everyone knows is in some difficulty.
- Noise
- Concern over the turn by the gym, which is not big enough for coaches and lorries
- The entrance into Ashley Road is not adequate in terms of visibility for motorists exiting the site
- The Island should be utilising structures already in place, not building others
- The location of the proposed facility is unsuitable for its purpose, the roads are narrow and busy already without added pressure
- The turning point for coaches and buses are non-existent, added to which there is no public transport along there, probably due to this reason
- In order to succeed it should be in a central location where people can



access easily, by foot to also ease traffic congestion, and not rely on the added cost of getting there

- There would be a detrimental effect on the facilities there already, that are established and have worked hard at their success
- There is a ridiculous idea, there is no public transport infrastructure
- There is already a building in Ryde that used to be the Ice Rink, which went bust
- The idea of spending millions on a 'white elephant' is stupid, as the cost would never be recovered, especially when the last ice rink was on the seafront and was easily accessible to both locals and tourists and still made a loss
- The proposed plan would ruin the future of the Island speedway, football and cricket facilities
- Measures to open the previous ice rink should be taken if this is what is missed
- Key issues have been raised from Island Roads
- There are no public transport links to the stadium that doesn't involve walking along a dangerous road
- The corner leading from the premier lounge to the field is too tight for any coach to gain access and with the neighbouring cricket pitch, there is no chance of making the corner any wider
- The proposed spaces for coaches are therefore useless as a coach couldn't get there
- No mention of operating hours, a concern Island Roads also seem to share, difficult to judge the local impact on traffic, noise.
- Visibility is already an issue when there is a large event on at Smallbrook, there has always been a necessity to have additional traffic controls, with a more permanent use, this wouldn't be possible, and no plan has been put together to mitigate this risk.
- Concern over the loss of open amenity space, with associated risk to wildlife, and the loss of a playing field, which shouldn't be allowed
- Concern over the potential loss of well established, native trees on the site
- The plans suggest that current users of the site could use the car park as well, it has not been noted if discussions have taken place
- All of the facilities offered by this development already exist on the Island, including the opening of a 24-hour gym
- The loss of the field would impact on this quiet location, putting pressure on other locations for the annual scooter rally and other such events, despite the well-respected existing facilities.
- Development will interfere with the speedway track entrance and excess traffic which will lead to costly repairs and also the risk of people being injured by fast moving vehicles
- Children would have to catch a bus and then walk on a dangerous road
- Money needs to be put into more useful things that the Island needs, regeneration projects for example
- This will be site that will encourage 'boy racers' to use in the evenings
- No suitable or safe access points and will exclude people who do not have access to a car
- With some minor changes this could be achieved
- On behalf of the Vectis Astronomical Society- lighting should be suitably shaded and downward pointing to ensure that the only area to be lit, is lit.
- Traffic generated would be harmful and the roads serving the site are

unsuitable

- Despite the application being advertised, the planning application still does not address the fundamental issues regarding the infrastructure issues, especially highways related
- The land is owned by Ryde School, a charity whom have spent money on drainage and the site should be kept for rugby and sports
- How will the new facility be available for Ryde School and how will they benefit from the proposal
- Concern over the failing of the scheme and the money spent
- Nesting birds and wildlife in this area will be lost

12.20 Four representations were made which stated that they were neutral in their position, and the following summarised comments were received:

- Whilst I agree we need this facility I believe it's in the wrong place. Having this here will also impact on the speedway which they have invested thousands in, so I don't think it would be fair.
- Question how green and respectful of sustainability is the proposed structure
- Concern over the transport route, however this should relate to the existing Speedway as well and therefore the location isn't entirely suitable for that activity either.

12.21 Representation figures also include the following parties and the following summarised comments:

***Board of the Island Speedway (IOW) Ltd. (Neutral)***

The Body have provided neutral comments, as referenced on the online portal, in respect of the planning application. The comments state that whilst Island Speedway welcome any development at the stadium, as it could bring benefits for other stadium tenants and this is something that has been tried over the last five years. However, this development gives no recognition of the problems that it brings and the increased to us, with no income being generate from it. All of which could have been explained fully had adequate consultation taken place.

- Proposal does not deal with car park overload, traffic management and its effect on other stadium users or tenants.
- Increase costs through maintenance of the current car park
- Potential increase in security, lighting and staff, with no additional income
- Speedway is operated solely by volunteers
- The party have not been consulted in any way for this project and yet the proposed access is directly over their land and car, with little or no thought for the existing users of the stadium
- Therefore, do not oppose, but also do not welcome it either.

12.22 ***Havenstreet and Ashey Parish Council (Neutral)***

The Parish welcome the provision of amenities for the benefit of the youth and community of this area and the wider Island. This proposal seeks to improve the health and wellbeing of Islanders.

We also recognise the need to ensure that any development addresses the concerns of Sport England, and Public Rights of Way (especially pedestrians and cyclists), as well as any issues highlighted by highways regarding the implications for traffic. We would also welcome clarification of transport support to enable access for residents of the Parish and wider area, particularly in the context of the significant planning developments proposed for this area (e.g. Pennyfeathers et al).

### 12.23 **Ryde Town Council (Objects)**

The Parish offer support for the proposal and welcome the plans to provide high class sports facilities in Ryde. However, the committee felt that they would have to reluctantly object to the application, raising the following concerns:

The committee expressed concerns over the location of the proposal, in particular with regards to the lack of public transport to the site and the lack of safe pedestrian and cycle access.

The committee noted and agreed with the recommendation for refusal made by Island Roads on the grounds of road safety.

The committee agreed that no tree survey was included in the application as highlighted by the tree officer although there are significant trees which may be affected by the proposal.

The committee were concerned that there was not enough detail contained within the proposal to make an informed decision.

The committee agreed that they would have preferred to have seen more consultation with stake holders and statutory consultees prior to the submission of the application.

## 13 **Evaluation**

### Principle of the development

- 13.1 Policy SP1 (Spatial Strategy) aims to support development within or adjacent to the defined settlement boundaries of Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres. The application site is not situated within one of these designations and as such is considered to make up part of the Wider Rural Area, where development would not be supported unless there is a specific local need justified.
- 13.2 This proposal has not provided specific justification as to why this parcel of land, set within a predominately rural locality should be favoured in regard to the aims of Policy SP1 of the Island Plan in terms of whether other sites across the Isle of Wight are more suitable for this development. Nonetheless, the Local Planning Authority (LPA) recognise the need for further leisure and recreational facilities across the Isle of Wight, subject to other factors of the Island Plan being met in this instance.
- 13.3 In particular, but not limited to, how the site can achieve levels of sustainability, in terms of being located in an area which can be accessed by a wide range of

people, through sustainable transport method in accordance with policies SP7, (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan

- 13.4 On consideration that the development would relate to the construction of a large, independent leisure facility, the scheme needs to be considered in accordance with the aims of Policy DM7 (Social and Community Infrastructure) of the Island Plan. As such one of aspect of Policy DM7 is to direct development in localities where existing facilities already exist. In this instance, the neighbouring site, in the form of Smallbrook Stadium, offers both tourism and leisure facilities, including hosting Speedway events.
- 13.5 The site also provides an on-site bar, gym and associated infrastructure, as well some outdoor facilities. This proposal has been identified through the course of the application as remaining separate and therefore this proposal would not fully meet the aims of the Policy in terms of intensifying existing uses in relation to Policy DM7 of the Island Plan Core Strategy.
- 13.6 Policy DM7 nonetheless also seeks to consider the needs and requirements of all people in the community, as well as the wider community, through creating opportunities to provide multiple use facilities, for greater community benefits. On consideration of the plans and the proposal in general, the scheme would provide a mixed-use facility, incorporating an Ice Rink, Indoor Tennis Courts and associated leisure and fitness facilities within the one building.
- 13.7 The provision would serve the Island community, not just the local area of Ryde on the basis that the element of ice skating and indoor tennis would be a niche aspect of sport which is not currently accessible on the Isle of Wight and would attract visitors from across the wider community and also provide a platform for tourism, as discussed below in this report.
- 13.8 DM7 refers to the need for schemes to be accessible through various modes of transport, including walking, cycling and public transport and this reflects the advice within the NPPF.
- 13.9 Notwithstanding the above, there is a level of support that can be offered in this instance in regard to Policy SP3 (Economy) on the basis that the existing use of *Speedway* could potentially provide mutual benefit to economic sustainability in this location. Policy SP3 states that: *'The aim of the Council is to accommodate sustainable economic growth and regeneration by ensuring sustainable patterns of employment development, provide opportunities to diversify and strengthen the local economy'*.
- 13.10 On consideration that the proposal seeks to utilise an existing access point, visitors could benefit from using both leisure sites and thus providing a net gain to the existing use. As such, supporting the local economy in this instance, in accordance with the aims of SP3, providing any element of sustainability on the basis the site is considered to be located within the Wider Rural Area and the need for justification indicating that the scheme would provide benefits in line with National and Local Planning Policy.
- 13.11 As highlighted above, the scheme could support the Island's tourism provision. Policy SP4 (Tourism) clarifies that the development of tourism related

development should utilise the unique characteristics of the historic and natural environments, without compromising integrity. Furthermore, proposals should seek to provide all year-round facilities. The proposal is aimed at providing a leisure facility through the delivery of a mixed-use sports facility. The scheme therefore has the potential to also be utilised by tourists and provide all year round/all- weather facilities which are of a finite supply on the Isle of Wight.

- 13.12 Notwithstanding the above, the Local Planning Authority raise concerns in terms of the practicalities of the site location, including accessibility of the site by suitable means of sustainable transport as well as concerns that the development would generate highway network issues fundamental to the site's feasibility in this instance and the current use of the land in question. Therefore, the scheme of works proposed would need to comply with the relevant policies of the Island Plan Core Strategy and the NPPF in this instance in order to be considered favourably. These matters will be discussed within the remainder of this report.

#### Design of the development

- 13.13 The proposed development lies within a section of land which is predominately rural in nature, outside of a defined settlement boundary, and therefore making up part of the Wider Rural Area, as noted by SP1 of the Island Plan. The proposal seeks planning permission for the development of a large multi-use sport facility which would offer an 'L' shaped design, to be positioned to the rear of the existing Smallbrook Stadium. The development would be formed out of a white coloured double PVC- coated polyester tent structure which would be supported by glass infill panels and doors which would comprise of aluminium frames. The roof of the facility would be finished with strips of rooflight on the basis that no natural light would be obtainable through the main elevations of the development.
- 13.14 As stated, the proposed building would offer an irregular shape and therefore the proposed size of the development would be variable due to its shape. Nonetheless, the dimensions would offer a maximum length of 172.00 metres and a maximum width of 72.00, with a considerable portion of the building representing a reduced width of approximately 40.00 metres. Due to the single storey nature of the development, combined with the proposed range of activities offered and the types of activities offered, namely ice skating and tennis, these facilities are space dominating activities and thus the representing footprint is therefore appropriate to the demands of the site in this instance.
- 13.15 In terms of the design, it was raised to the applicant within the early stages of the application that the development should be further considered in terms of visual appearance. Although the massing, size and shape are considered to be acceptable, concern over design was highlighted. The elevations are currently relatively uninspiring due to the uniform panelling offered with the sections not being broken up with the fenestration detailing. As such, it was suggested that windows should be provided within the side elevations to improve the aesthetics of the design and encourage natural light into the facility, promoting levels of sustainability through the reduction in the need for artificial lighting.
- 13.16 Further to the above, it was highlighted that the development could not accommodate windows due to the provision of glass being considered a health

and safety risk when providing indoor sports facilities such as the ones contained within this scheme. As such, it was proposed that art work/illustrative designs could be incorporated to the design. However, through the course of the application amendments to the scheme in this regard have not been forthcoming and the LPA have not pursued these preferential changes on the basis that there are fundamental outstanding concerns going to the heart of this development which have not been overcome through the course of the application, as discussed below.

#### Impact on the character and appearance of the area

- 13.17 On review of the mass of the development, the proposal albeit of a scale and footprint considered to noticeably alter the appearance of the site, has nonetheless been positioned to reflect a relatively contained development. This is due to the appropriate scaling of the development in terms of the resulting proposed height, overall design, and the position of the development to the rear and side of the existing Smallbrook Stadium. Therefore, the development would only be marginally visible from the highway of Ashley Road due to the relatively modest height, considered acceptable for such a development and the set back from the streetscene by in excess of 200 metres, and the presence of the existing stadium in foreground views.
- 13.18 As discussed, the character of the area is currently semi-rural, although the LPA acknowledge that future residential development may occur on land within the surrounding vicinity which benefits from an extent permission for a considerably scaled housing development and that the existing Smallbrook Stadium also provides a developed backdrop.
- 13.19 The proposal due to the topography of the site, which offers a lower position regarding developments and public vantage points located to both the north and east of the site would not be an unduly dominant development. As such, given the separation distances, the position and the character of the land and the screening offered, the development would not harm the wider character of the area in accordance with policies DM2 and DM12 of the Island Plan Core Strategy, subject to detailed and appropriate landscaping.

#### Impact on neighbouring properties and uses

- 13.20 On evaluation of the surrounding and wider area, there is residential development along the highway of Great Preston Road. However, on assessment of this relationship the properties would be positioned approximately a minimum of 850 metres away, which is considered a substantial separation distance, which would prevent impacts as a result of the size and scale of the building and potential noise/light impacts.
- 13.21 Furthermore, on assessment of the site and neighbouring users, it is considered that due to the lack of residential properties within the vicinity due to the semi-rural setting and thus verdant nature of the surrounding area, the proposal would not have a negative impact in terms of loss of privacy, light, or create an overbearing effect on residential amenity due to the location of the site and positioning of properties. As such, there would be no notable harm to neighbouring residential properties and the proposal in this respect would be in accordance with Policy DM2 of the Island Plan Core Strategy.

- 13.22 Aside from the considered and thus acceptable impact on neighbouring residential amenity within the wider community, the impact of the scheme has been raised by the neighbouring sports and recreational facility. The LPA consider that the proposal would have an acceptable impact on the neighbouring use in terms of noise, privacy and amenity aspects, and matters such as operational hours being controlled by planning condition.
- 13.23 However, there are outstanding concerns regarding the intensification of the highway access, parking and turning areas, and how the proposal could have a harmful impact on highway safety and amenity for the existing use of Smallbrook Stadium. These impacts have not been fully demonstrated within the contents of this application and their implication cannot be fully considered in line with the policies of the Island Plan. Matters relating to the access and parking will be discussed within the Highways Section of this assessment.

#### Consideration and impact on the loss of a sports pitch

##### 13.24 *Current use*

This proposal would result in the development taking place on a designated sports pitch, as identified by Sport England in their consultation comments. On consideration of the specifics of the site, Sport England have clarified that the L-shaped area of playing field measures approximately 1.4 ha and appears to have been used for a mix of pitch sports. The site has previously been marked out with a mini-soccer pitch (approx. 50m x 36m exc. run/off areas) and a larger junior pitch measuring approximately 68m x 45m excluding run/off areas. The consultee confirms that the northern part of the site appears to have been used and marked out with two rounders pitches in the past. However, it is considered that this area does have the potential to accommodate a youth (U15/16) 11x11 football pitch measuring 97m x 61m (including run/off). It would not be of sufficient width to accommodate an 11x11 adult pitch which would require a width of 70m (including run/off area).

##### 13.25 *Loss of the playing field and the proposed development*

The consultee has stated that it is understood that this proposal prejudices the use or leads to the loss of use of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). In this instance Sport England have recalled how they need to assess the application in this instance against their E5 exception policy which states the following:

***'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'***

- 13.26 In light of the above it has been clarified that the information submitted as part of this application and during direct correspondences between the applicant and Sport England has not satisfied the aforementioned Policy. It has been suggested that the playing pitches are in fact under-utilised and not fit for purpose given the lack of facilities for example toilets and changing rooms available on site. However, Sport England highlight that there is no current

robust assessment which demonstrates that these pitches are no longer needed and there is an excess of playing field which justifies their loss. Therefore, there is insufficient evidence to demonstrate that the proposal would be of sufficient benefit to sport as to outweigh the harm caused by the significant loss of playing at the site.

- 13.27 Furthermore, not only is there a lack of supporting evidence in relation to whether the proposed indoor facilities/sports halls meet relevant national governing body guidelines on court/pitch size guidelines, there is also concern that further development of the associated car parking would too be located on the existing playing field and therefore also result in the loss in playing field in a situation where the reflective number of parking spaces in this instance has not been justified. As such, Sport England conclude that the application is unclear in reflecting whether any reference is made to the compliance with Sport England guidance.
- 13.28 Subsequent information has been received directly by Sport England from the applicant, and for clarity the consultee has provided additional comments which clearly reflect what further information has been considered in this instance. As such, it has been noted that a football club used the pitch between the periods of 2015-2017. Additional information from the applicant has suggested that the playing field is not currently used, and the site is prone to waterlogging and poor drainage. In review of this information, Sport England have stated that no technical information has been provided to support the applicant's position.
- 13.29 Sport England highlights that the Isle of Wight Council is currently undertaking work on a new Playing Pitch Strategy (PPS) in accordance with Sport England guidance. The purpose of the Strategy is to provide a robust and up to date quantitative and qualitative assessment of the Island's playing pitches. Currently this Strategy is within the early stages and there are no findings to demonstrate. Therefore, at this time, Sport England conclude that no information has been provided on the impact of community sport at the site which will result from the loss of playing field and how that provision can be re-provided elsewhere.
- 13.30 In the absence of a Playing Pitch Strategy which supports the potential loss of the site, Sport England considers that there is no evidence that demonstrates the playing field is surplus to requirements and its loss is justified. As a result, the loss of the playing field is contrary to Policy DM7 of the Island Plan Core Strategy and the does not comply with exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF. If the proposal is to be supported by the LPA, the professional body have clarified that the application should be referred to the Secretary of State.
- 13.31 *Submission of further information regarding the existing use of the site*  
During the course of the application a further document named 'Benefit Case for Sport England' was subsequently submitted for consideration by the LPA and Sport England. As such, the contents of the report have been reviewed and the position of the Sport England remains unchanged whereby it has recalled as prudent to wait for the findings of the updated Playing Pitch Strategy in order to formulate an understanding as to what the Island will need in terms of playing pitches both now and in the future.



- 13.32 In addition to the above need to wait for the up to date publication of the Strategy, the consultee has also elaborated how the further supporting document provided does not articulate or provide robust evidence which indicates that the proposed mixed facility will meet an identified strategic need on the Island. Furthermore, the consultee has also questioned how the proposed design would meet Sport England's or relevant national governing body design guidance. There is also a concern as to whether regard has been given to these documents within the revised submission of the supporting document.
- 13.33 In light of these revised comments, the applicant's agent presented further comment on the use of the land. Again, the response from the external consultee recalled how the field does meet the definition of a playing field and whilst it has been argued that is no longer used, it does not necessarily mean it is not needed either now or in the longer term to meet community needs for pitch sports on the Island.
- 13.34 Therefore, to conclude, the information provided to Sport England since the re-advertisement of the application does not materially alter Sport England's position at this time and their objection to the proposal still stands. On balance, the proposal would result in the loss of an existing amenity space with insufficient information or justification which would prevail in this instance to allow for support of the proposed facility. Without further evidence at this time, the scheme of works would be contrary to the aims of Policy DM7 of the Island Plan Core Strategy, with Sport England questioning how the scheme would benefit sport through the provision of this facility.

#### Highway Consideration

- 13.35 The proposal involves utilising the existing access point off Ashley Road which currently serves Smallbrook Stadium, while seeking to upgrade an on-site access road. The existing track into the site would lead past the existing stadium and its associated parking, with the proposed site being accessed and served via a 90 degree turn to the south-east of the site. This section of the access is the element which works are proposed to take place. This is proposed in an attempt to accommodate two-way traffic and to allow for the turning of larger vehicles, such as coaches, which will be required to serve a facility of this size in order to make it sustainable in terms of transport means, but also economically viable in regard to policies SP7 (Travel) and SP3 (Economy) of the Island Plan Core Strategy. A new parking area is to be proposed to be formed adjacent to the leisure facility, as discussed below.
- 13.36 Policy SP7 of the Island Plan states that the majority of development will be located in the most sustainable locations to ensure that schemes are accessible. The focus of the Policy is to reduce the need to travel and increase opportunities to walk, cycle and travel by public transport. As highlighted above, this is a rural site and although the principle of such a scheme can be supported given the constraints in terms of land that is suitable for such a development, this support is anchored to the need for the scheme to demonstrate significant levels of sustainability in order to be implemented effectively and meet the aims of policies SP7 and DM17 (Sustainable Travel).

- 13.37 Policy DM17 of the Island Plan clarifies that: *reducing the dependency on the private motor car, through improving the provision of pedestrian, cycling, equestrian and public transport. Development proposals will be expected to demonstrate how this will be achieved*. The Policy also states how sustainable routes between urban and rural areas should be achieved through proposals, with a focus on road safety, reducing the need to travel and promoting a travel choice amongst users, whilst protecting and enhancing the environment and surrounding quality of life.
- 13.38 On the basis that there are significant and fundamental highway safety concerns which effectively go to the heart of the practicality of this proposal, this section will be considered in sections and relate to the up to date comments received by the consultee, Island roads on the 16 October 2019.
- 13.39 *Geometry of the site*
- There are two fundamental concerns in this regard. One being the access arrangement onto the main highway from the proposed site and the second being the internal configuration of the 90-degree bend in which all vehicles would have to undertake within the site. Firstly, in terms of the access, the existing priority junction serving the site from Asheys Road is not controlled by the applicant generates concern in terms of a visibility perspective. Due to the classification of the highway being restricted to 40mph at the point of access, visibility splays of 101.00 metres are required in both a northerly and southerly direction.
- 13.40 In this regard, the Highways Engineer has clarified that the visibility requirement when viewing to the north is achievable. However, on consideration of the southern visibility splay, the visibility is inadequate. The Highways Officer has confirmed that the visibility, whether it was achievable to cross third party land or not, would be of a deficit of the required visibility splay. The maximum visibility (which cannot be achieved through the current redline of the site boundaries and would require notice to be served on neighbouring owners and their agreement to this to be in place) would be 90.00 metres. However, on review of the current redline plan, the scheme can only provide 18.00 metres of visibility in a southerly direction. Both are below the required visibility for this access.
- 13.41 The proposed development would intensify the use of the existing access and therefore this intensification in relation to the inadequate visibility splays of a pressing concern. There has been comment made by the applicant through the course of the application that the site is operating under capacity and the access arrangement is also existing and therefore this could alleviate concerns over the reduced visibility splays. Nonetheless, the Highways Engineer through the course of the application has clarified that the proposal relates to a new use currently not found on the site, and even if the existing use is operating at a reduced capacity, there is no control that over time that this will increase and could function at the full capacity.
- 13.42 Furthermore, through the course of the application it has been recalled by Island Roads that no transport data has been provided to support this claim that the existing use is operating at below capacity. Therefore, there is no information to substantiate this claim that the proposed development,

combined with the existing use would generate a daily uplift which would in line with the currently permitted capacity. Therefore, regarding the unacceptable visibility splays, the development would result in the intensification of the site, which in turn would result in the scheme being considered unacceptable in relation to policies SP7, DM2 and DM17 of the Island Plan Core Strategy.

13.43 Concern is also raised in terms of the internal access arrangement. Through the course of the application the plans have been amended, with the revised plans showing the widening of the 90-degree bend within the south east section of the site. However, the concerns from Island Roads have not changed on the basis that the proposal remains unacceptable. This is because for coaches to reach the proposed development, as shown by the provided swept path analysis, they would need to be negotiate a 90 degree turn, but this would result in conflict on the basis that coaches would need both sides of the highway and prevent two-way traffic during these times.

13.44 This would not be a suitable arrangement on several grounds. Firstly, as noted by the Highways Engineer, the existing stadium building itself would result in the creation of a blind corner and therefore drivers could not see an oncoming vehicle. Therefore, the applicant has informally suggested that a marshal could be provided at the times that coaches are required for major events, such as ice hockey. However, this would not be a practical solution whereby the multi-use facility by nature would attract a range of users and continuing and varying times and therefore the prevention of vehicles using the sole access point at certain times would not be acceptable in terms of design, contrary to Policy DM2 of the Island Plan and preventing inclusive transport options, contrary to policies SP7 and DM17 of the Island Plan Core Strategy.

#### 13.45 *Parking Provision*

The proposed development has been considered by Island Roads in terms of parking and the associated implication of the proposal on users of the site. In this instance, the LPA guidelines do not specify an exact quantum of parking that should be provided for a development of this nature. However, Island Roads have stated that if the parking demand is not specifically referred to, then the expectation is that the scheme is proportionate to the nature and the scale of the proposal and this assessment will be undertaken and submitted to the LPA.

13.46 In terms of the site characteristics there is no provision for the scheme to incorporate on street parking. Therefore, sole reliance is had on the internal arrangements and the provisions which can be made within the site. The proposed scheme seeks to provide 111 spaces for motor vehicles. There is no provided calculation or justification for this level of parking. Provided peak usage calculations of the number of anticipated users anticipated generates further concern that the provided parking would not be enough as well as no supporting information for this figure.

13.47 Island Roads have used the average car occupancy rate for England which is 1.6 people per car. As such, on the basis that an event such as ice hockey would generate a parking demand of 387, with a concert night resulting in the need for 486 parking spaces. This therefore leaves a 276 and a 375 respective deficit in parking supply, with no scope for safe off-site parking to be

accommodated. The development is contrary to the aims of policies SP7, DM2 and DM17 of the Island Plan Core Strategy.

- 13.48 On the basis that the development would be a large scale, multi-use proposal, restricting the associated use to not over scale the parking demand would not be a suitable measure in order to address this area. Having a development which would have to be heavily controlled in terms of capacity, activities, days and hours of operation, outside of reasonable control would be unacceptable in terms of creating a sustainable development which would be practically, economically, socially and environmentally acceptable. Furthermore, this shortfall in parking and lack of information in terms of operation has resulted in the objection also relating to insufficient information regarding impact on the highway capacity and nearby junctions, as discussed below.

13.49 *Generation of traffic*

Further to the highlighted concern over the poor visibility splays of the site and the parking demand and delivery being unacceptable, Island Roads have also raised issues in relation to how the development will generate increased traffic onto a classified highway. The scheme would have the potential to increase traffic movements onto the wider highway network and therefore it is recognised that five junctions could be negatively impacted upon.

- 13.50 No transport data has been provided within a Transport Assessment which addresses this element of the scheme, apart from the statement that the existing site is underutilised, as discussed previously. However, without information to confirm that the development would not provide an intensification of the access, neither Island Roads or the LPA can support the proposal in this regard. The development would result in unsafe implications on the highway network, contrary to the aforementioned transport and design policies of the Island Plan.

- 13.51 In this regard discussions have taken place with the applicant and the current agent in terms of this element and how potentially in the future the surrounding roads, including the junction at Smallbrook roundabout would be upgraded and could therefore support such a proposal in its proposed and required capacity. However, this is not demonstrated within the existing plans, supporting information or within any form of legal agreement and therefore the scheme, still unacceptable in a range of other fundamental aspects could not be reliant on the delivery of the external arrangement to the highway. The development due to its location would be reliant on private vehicles, and therefore the unsuitability of the access, parking and further highway network is a fundamental consideration at this time.

13.52 *Sustainability*

The scheme of the development, seeking to provide a niche and large-scale leisure proposal, as highlighted should be served by sustainable means of transport. It has been argued by third parties and the applicant alike that a scheme such as this is required to support healthy and active communities. Therefore, it is acceptable to relay this requirement into the heart of the scheme for such a facility to promote and provide sustainable access. Nonetheless, the proposal in this instance would ultimately result in the near

sole reliance on private vehicles.

- 13.53 As discussed, the use of coaches would not be suitable within the site. Furthermore, the development would not be surrounded by a suitable means of safe pedestrian footways, the surrounding routes would be unpaved, unlit and not served by public transport within a suitable proximity, regardless of the lack of pavements. This stance has been supported by Island Roads and Southern Vectis who express objection in this regard.
- 13.54 Southern Vectis in their comments on the proposal have confirmed the unacceptable distances to public bus stops which would need to be walked. There is no evidence or agreement that Southern Vectis would extend to this facility and the constraints of the site mean that Southern Vectis have raised concern as to how a bus would enter the site, and turn, given the issues already raised in terms of coach operations. Furthermore, the section to the front of the site, operated by Smallbrook could not be used as this would be within third party land.
- 13.55 Additionally, due to the nature of the external highway, with no pavements or lighting, would be detrimental to any potential users of a bus operating closer to the scheme, as it would result in an unsafe impact on the highway network and people egressing onto the highway from a bus. Notwithstanding these concerns, on the basis that no public transport options in terms of train, bus, cycling or walking can be provided as part of this proposal, the scheme needs to be considered on its own merits and current provisions and in this instance.
- 13.56 The scheme is unsustainable due to the implications to the highway and lack of public transport options available. In the absence of further information and lack of mitigation measures offered, the development is not in accordance with policies DM2, DM13 (Green Infrastructure) and DM17 of the Island Plan, where the scheme would in essence encourage private car use, which is too unacceptable due to the aforementioned conflicts which would arise.

### Ecology

- 13.57 Natural England have identified concerns due to the lack of supporting information in several regards. Firstly, the development does not demonstrate how waste water will be disposed of from the site. Natural England state that they require certainty for the receptor for the waste water in connection with nutrient additions to the Solent and Southampton Water Special Protection Area and Solent Maritime Special Area of Conservation protected under the Habitat Regulations 2017.
- 13.58 The concerns raised in the most recent comments of 30 October again recall how there is no reference to where the waste water will be discharged to. If the waste water is discharged to a package treatment plant or a water company treatment facility, every litre of water that enters the Waste Water Treatment Works will leave the works with a consented concentration of nitrogen, which could have implications on the Solent and Southampton Water Special Protection Area. It is advised by the consultee that further information regarding a nutrient budget should be provided in order to inform the LPA's decision at this time.

- 13.59 The consultee has further stated that the development will result in the loss of greenfield land to be replaced by a building and hardstanding. Therefore, the development is likely to result in a loss in biodiversity in the absence of mitigation/compensation measures. Broad ideas of mitigation measures have been suggested in the ecology report although nothing has been offered by the applicant that is certain.
- 13.60 In addition to the information requested above, Natural England originally requested a Biodiversity Mitigation and Enhancement Plan in a format that can be conditioned to the permission. Initial comments from the consultee related to the absence of such a report. Nonetheless, an assessment was submitted on behalf of the applicant in response to those concerns. However, Natural England stand by their original objection, whereby there is not enough information, or information presented in the correct format which can be supported in this regard. There is a concern over the need for the most up to date information to be used in order to calculate the net gain which is achievable at the site.
- 13.61 Furthermore, the document refers to the creation of Lowland Meadow grassland as a credit in the calculation. Natural England confirm that this is a species rich BAP priority habitat that requires significant investment and subsequent management to establish. Therefore, depending on the geology and existing condition it can take a significant period of time to establish subject to continued investment in the management and seed introduction. Although the consultee is supportive of this proposal in principle, the mechanisms to secure the establishment from a reported low condition state and the subsequent management for at least 30 years (as an expected minimum standard in accordance with the recent environment bill and net gain consultation) have not been identified. As such, to validate the calculation, further detail is required as to how this delivery will be secured through the permission. If this is not feasible or viable then the applicant will need to revisit their options for mitigation or compensation.
- 13.62 On the basis of the two outstanding issues relating to ecology, combined with the other fundamental and key concerns relating to the implementation, safety and feasibility of this development, further information has not been requested and as such Natural England's final comments on the proposal are that they stand by their original objection to the scheme.

## **14 Conclusion**

- 14.1 The proposed development could deliver a unique and high-quality leisure and community use that would support tourism and economic sustainability on the Isle of Wight. The proposed facility would contain a range of facilities which could promote sport and fitness. However, due to the constraints of the site, the level of sustainability offered as part of the development is of significant concern in terms of ensuring that the site is accessible and usable by a range of users, from across the Isle of Wight and further afield.
- 14.2 The proposed community and leisure facility, by virtue of its positioning within the site would not have a detrimental impact on the appearance of the site, or the character of the wider area. The development would be located on a section of land which would minimise views and would not appear at odds

within the streetscene, due to the existing built development adjacent to the proposal. The proposed building would not have a harmful impact on visual amenity from wider public vantage points.

- 14.3 The proposed development is not considered to have an unduly negative impact on neighbouring amenity due to the distance from properties. However, the location of the development and its position within the site would result in detrimental impacts on the highway network and associated highway safety. The proposal would result in the intensification of the access an to unsuitable level, with an inadequate internal road width compromising safety.
- 14.4 Furthermore, the proposal reflects a shortfall in onsite parking, with no provision for offsite parking to be relied upon. Through the intensification of the site, there would be a greater demand on the external road network, which would be contrary to Policy. Finally, the resulting design and location of the site ultimately results in the site not being considered to be safe and accessible location and is therefore not considered a sustainable form of development.
- 14.5 It is considered that the development on an existing and designated sports pitch would not be a suitable location for this form of development. Concerns have been raised on a number of grounds through the course of this application. Therefore, there is insufficient evidence to demonstrate that the proposal would be of sufficient benefit to sport as to outweigh the harm caused by the significant loss of playing at the site.
- 14.6 The proposed development has not provided a sufficient level of detail and explanation in order to satisfy Natural England, or the Local Planning Authority that the development would not have a detrimental impact on ecological impacts, namely in regard to the designated the Solent and Southampton Water Special Protection Area and Solent Maritime Special Area of Conservation
- 14.7 Having regard to the above and having considered all relevant material considerations, Officers conclude that the proposed development does not comply with the provisions of the Island Plan Core Strategy and the NPPF.

## **15 Recommendation**

- 15.1 The application should be refused for the proposed development of a leisure and community facility, providing ice skating, indoor tennis courts and associated sport facilities along with the creation of a formalised internal access and parking facilities.

## **16 Statement of Proactive Working**

- 16.1 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 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
- The application was not considered to be a sustainable form of development and therefore despite ongoing liaisons with the applicant/agent the proposal was not considered acceptable despite on further information being submitted and considered throughout the course of the application.

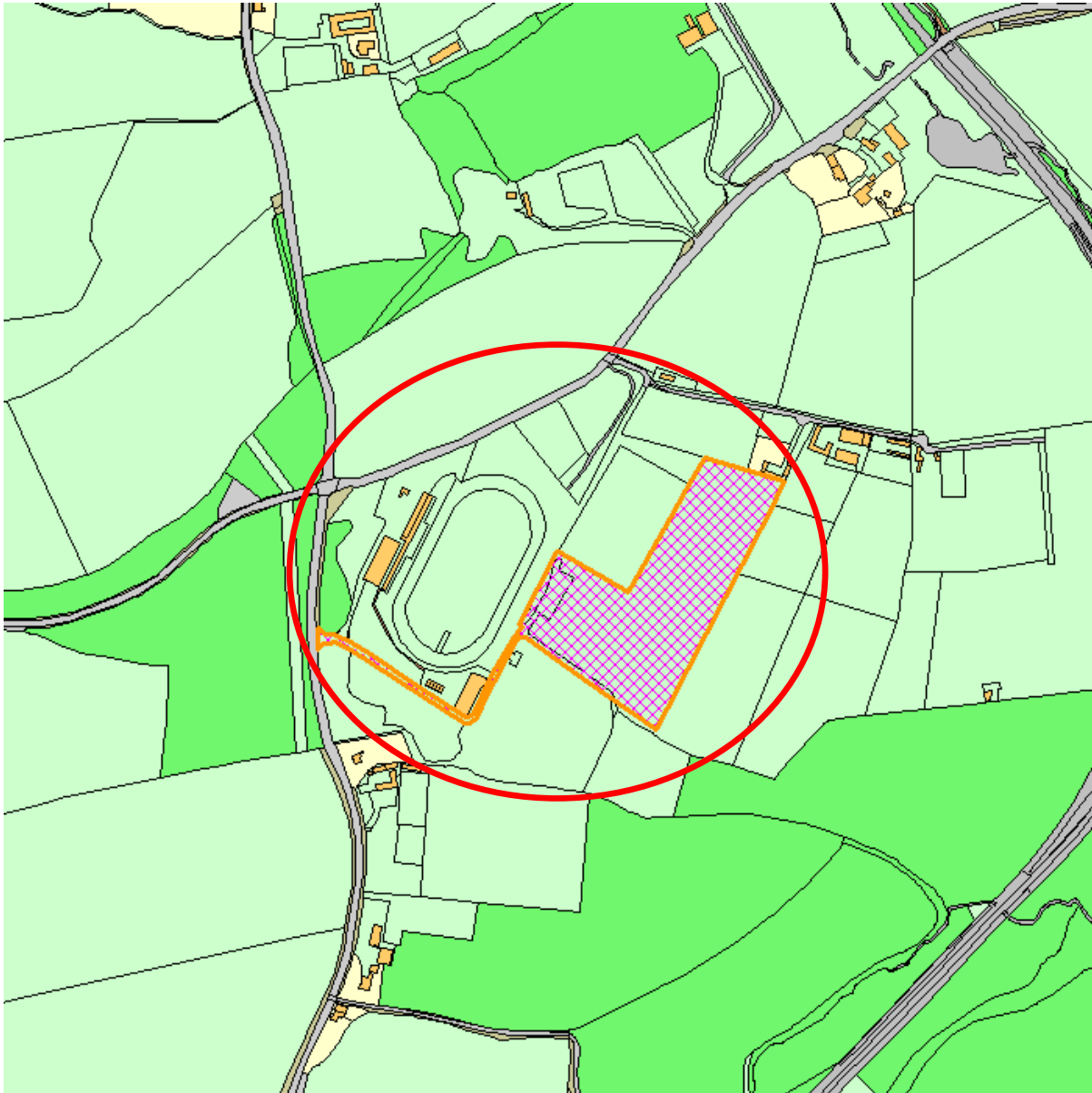
## **Reasons for refusal**

1. The proposed development would be likely to lead to increased use of the existing vehicle access serving the site from the classified road Ashey Road which is deficient in respect to visibility when exiting the site and viewing to the south and would add unduly to the hazards of highway users and would therefore be contrary to Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.
2. Due to the positioning of the redline boundary, the proposed-on site access road as detailed on drawing no. 2390-00-0005 would be unsatisfactory to serve the proposed development by reason of unacceptable width, preventing the safe manoeuvring and passing of vehicles and would therefore be contrary to Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.
3. No details have been provided in relation to deliverable measures aimed at reducing the need to travel to and from the site by car, or steps that have been taken to provide adequate measures for public transport, bicycle or foot travel. In the absence of further details, it is considered the proposal is not in accordance with the guidance set out within Section 9 of the National Planning Policy Framework, and policies DM17 (Sustainable Travel) & DM2 (Design Quality for New Development) of the Island Plan Core Strategy.
4. Insufficient information has been supplied in respect of the traffic impact of the development on the wider highway network, the proposed level of onsite parking, and its associated operational hours. Therefore, in the absence of such information, the Local Planning Authority is not satisfied that the development would not cause congestion on the local highway network or have a negative impact on the safety of highway users. The development is therefore considered to be contrary to policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.
5. The information accompanying this application is inadequate and deficient in detail in respect of waste water disposal, and in particular, the measures to be undertaken to prevent detrimental impacts on the Solent and Southampton Water Special Protection Area and Solent Maritime Special Area of Conservation protected under the Habitat Regulations 2017 as a result of nutrient additions to the designated sites. In the absence of further details, it is considered that the proposal would be contrary to policies SP5



(Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy as well as the objectives of the National Planning Policy Framework.

6. The proposed new sports facility with parking would lead to the significant loss of playing field/pitches at the site whereby there is insufficient evidence to demonstrate that the proposal would be of sufficient benefit to sport as to outweigh the harm caused by the loss of the playing field at the site. In the absence of a Playing Pitch Strategy which supports the potential loss of the site, there is no evidence that demonstrates that the playing field is surplus to requirements and its loss is justified. The development does not accord with any of the exceptions to Sport England's Playing Fields Policy, Paragraph 97 of the NPPF or Policy DM7 (Social and Community Infrastructure) of the Island Plan Core Strategy.



Scale:1:5000

**03 Reference Number: 19/01019/FUL**

**Description of application:** Conversion and extension to provide 5x flats and ground floor commercial unit/restaurant; alterations to shopfront (revised scheme) (revised plans) (revised description)

**Site Address:** 57 - 59 High Street, Sandown, Isle of Wight PO36 8DF

**Applicant:** Brendan McMahon, MCM Builders, Daish Way, Newport, Isle of Wight, PO30 5XF

**This application is recommended for:** Refusal

**REASON FOR COMMITTEE CONSIDERATION**

- The Local Ward Member has requested a committee decision as he considers the redevelopment of this derelict High Street building would have a significant impact on the regeneration of Sandown.

**MAIN CONSIDERATIONS**

- Principle
- Impact on the character and appearance of the Sandown Conservation Area
- Impact on neighbouring properties
- Whether the proposal would provide a good level of amenity for future occupiers?
- Highways considerations
- Solent Special Protection Area
- Affordable Housing

**1. Location and Site Characteristics**

- 1.1 The application relates to an existing building located within Sandown High Street at its junction with York Road. Town Lane runs to the rear of the site and other High Street properties between York Road and Wilkes Road.
- 1.2 The site is within the settlement boundary of The Bay Key Regeneration Area, Sandown Town Centre and Sandown Conservation Area, and it is also within the Solent Special Protection Area (SPA) buffer zone.
- 1.3 The High Street is part of the commercial character area of the Sandown Conservation Area and it is generally characterised by 3-storey terrace buildings and hotels, most of which date from the Regency/Victorian periods. The area generally has a hard, urban appearance and High Street buildings, like the application site, often consist of commercial uses at ground floor level with residential accommodation on the upper floors. The Council's appraisal refers to traditional buildings providing a sense of 'grandeur' reflecting Sandown's popularity as a seaside resort during the Victorian period. The simplicity and low profile of roof forms are noted as being particularly

characteristic of local traditional architecture.

- 1.4 The application building is fairly typical Victorian architecture, with traditionally spaced and proportioned fenestration to the upper floors and traditional detailing to the High Street façade. The main slate covered roof is plain and simple in form. The rear is simpler and plainer, red brick the dominant building material. To the rear there are mono-pitched and dual-pitched additions at varying scales/heights, but all are subordinate in scale/height to the main front part of the building. The ground floor contains two distinct shopfronts, reflective of the building originally being two terrace buildings as discussed with the submitted Heritage Statement. The vacant and boarded appearance of these shopfronts is currently having a negative effect on the town centre and conservation area.

## **2. Details of Application**

- 2.1 The proposal would see the subordinate and later rear elements of the building demolished and replaced by a mainly 4-storey rear extension, with a single storey element closer to Town Lane. The submitted plans indicating the main element of the extension would be 10m in height to roof ridge above street level. This extension would have a stepped form and footprint and would project 6.5m-13.3m beyond the rear wall of the existing part of the building to be retained.
- 2.2 The 4-storey element of the proposed rear extension would have hipped-pitched slate roofs and brick-faced walls, the single storey part of the rear extension would have a flat roof, with the design incorporating a roof terrace over this at 1<sup>st</sup> floor level and a smaller balcony above this at 2<sup>nd</sup> floor level.
- 2.3 The plans also show a new flue roughly central through the building terminating through the roof.
- 2.4 The proposal would also see the existing shopfront and overhead fascia altered, reducing the size of the existing fascia, providing a larger vertically-proportioned shop window, and consistent height stallriser.
- 2.5 The proposal would see the ground floor used as a restaurant, with associated toilets and storage. The upper floors of the retained part of the building would provide 2-bed self-contained flats in lieu of the current bed-sitting accommodation on these floors. The extension would provide a further 3 self-contained flats.

## **3. Relevant History**

- 3.1 19/00172/FUL: Alterations and extension to form 5x flats and ground floor restaurant: refused 03/07/19.
- 3.2 P/00235/14: Alterations to include 3 storey rear extension to form 6 flats; alterations to shop front: refused 14/03/16.

## **4. Development Plan Policy**

National Planning Policy Framework (NPPF)

- 4.1 The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. It refers to three interdependent social, environmental and economic objectives, which need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across all of these different objectives.
- 4.2 Paragraphs 10 and 11 of the NPPF set out a presumption in favour of sustainable development, so that this is pursued in a positive way. Paragraph 11 explains that 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 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.
- 4.3 Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. It adds that where an application conflicts with an up-to-date development plan, permission should not usually be granted, unless material considerations indicate otherwise.

#### Local Planning Policy

- 4.4 The following Island Plan Core Strategy (CS) policies are relevant to this proposal:
- SP1 - Spatial Strategy
  - SP2 - Housing
  - SP5 - Environment
  - SP7 - Travel
  - DM2 - Design Quality for New Development
  - DM11 - Historic and Built Environment
  - DM12 - Landscape, Seascape, Biodiversity and Geodiversity
  - DM17 - Sustainable Travel

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

### Internal Consultees

- 5.1 Environmental Health has advised that it has no adverse comments. However, it has commented that Building Regulations should be complied with in relation to sound insulation. Furthermore, it has been advised that Environmental Health would comment on any premises licence to ensure appropriate measures would be put in place to control music noise. Environmental Health has not been able to comment on means of kitchen extraction or any externally mounted plant that may be required to service the proposed restaurant (i.e. for

air conditioning) as no such details have been provided with the application. Advice provided is that any kitchen extraction system should meet the standard *Control of Odour and Noise from Commercial Kitchen Extraction* (NETCEN).

### Third Party Representations

5.2 6 comments have been received from Sandown residents who have objected, raising the following issues/concerns:

- Size, scale and mass of proposed extension;
- Design quality:
  - not respectful of, or sympathetic to, the heritage of Sandown High Street;
  - Residential accommodation – too dense, poor light, small rooms;
  - Would not meet regulatory requirements for proposed ground floor commercial use;
- Plans too simplistic and lack detail, including materials to be used;
- Would not positively enhance Sandown Conservation Area;
- Unneighbourly development - adverse impacts on neighbouring properties;
- No outdoor recreational area for the proposed flats;
- No parking provided;
- Does not address issues identified in earlier applications.

## **6. Evaluation**

### Principle

6.1 The application relates to an existing building located in Sandown Town Centre, within the settlement boundary of The Bay Key Regeneration Area. Given the location of the site, the proposal can be supported, in principle, in line with the strategic aims of policies SP1 and SP2 of the CS in terms of the location of development and housing delivery.

### Impact on the character and appearance of the Sandown Conservation Area

6.2 The proposal is similar to a scheme submitted earlier in the year, however unlike this previous proposal, the rear extension roofline of the current application would be set slightly below that of the front roof slope to the High Street. Furthermore, whilst the rear extension would be 4 storeys, due to the modern floor-to-ceiling proportions, the overall height of the extension would be subordinate to the Victorian 3-storey building and those 3-storey buildings either side of the application building.

6.3 The eaves line of the rear extension would be higher than the eaves of the existing building, but this would not be apparent, given these differing eaves would not be seen together from surrounding streets. Also, the eaves line would not be dissimilar to those of adjacent buildings, being slightly higher than that of 1 York Road and similar level to that of 55 High Street.

6.4 Although the rear extension would have a staggered form, it would have vertical and balanced proportions and the roof form and styling would be reflective of the low-profile hipped roofs of the existing building.

- 6.5 Revised plans have been submitted by the applicant which also show altered fenestration and balcony styling/detailing to better reflect the traditional appearance of the existing building. The plans indicate use of slate for the roof and brick for the external walls. These materials would complement the materials used in the existing building and those in the surrounding area. Precise details of exterior materials to be used and detailing of external doors/windows could be controlled by planning conditions to ensure a high-quality appearance for the development, in the event of an approval.
- 6.6 The current proposal would also see the existing shop front and fascia sign over altered, reducing the size of the current fascia sign, providing a consistent height for this feature, as well as for the stallriser, and forming a larger vertically-proportioned window arrangement, to enhance the appearance of the commercial ground floor frontage. Given the variety of shopfronts found in the High Street and taking into consideration the current design, appearance and condition of the shopfront and fascia, it is considered that this element of the proposal would enhance the appearance of the building and street scene. This could be ensured by planning conditions to ensure appropriate proportions, materials and external finish of the shopfront.
- 6.7 Having regard to the above, it is considered that overall the proposal would enhance the appearance of the front and rear of this building and would preserve and enhance the character and appearance of the High Street and designated Sandown Conservation Area in accordance with the aims of policies DM2 and DM11 of the CS, the NPPF, and the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

#### Impact on neighbouring properties

- 6.8 Due to the current size, scale and position of the existing rear additions, space is afforded to neighbouring properties, particularly those immediate neighbouring buildings to the east and west of the site, 1 York Road and 55 High Street. These neighbouring properties have a number of rear and side facing windows near to the site boundaries. The side and upper floor windows serve neighbouring residential property.
- 6.9 In terms of 1 York Road to the northeast, the proposed rear extension would be set away from the upper-floor west-facing window within this neighbouring building. Given the height and position of this window it is considered that there would be no conflict with it and those within the proposed extension or with the proposed rear roof terrace or balcony in terms of intervisibility. Furthermore, given the orientation of this window and the position, size, design and bulk of the proposed rear extension, it is considered adequate light to and outlook from this window would be maintained. The proposal would therefore not have an adverse impact on the amenities of this neighbouring property or the living conditions and privacy of its occupants, of this property.
- 6.10 55 High Street to the southwest contains a betting shop at ground level and flats on the upper floors. These flats are accessed from the front and rear of the building. Because of the size, scale and bulk of the proposed rear extension, as well as the proximity of the extension to the boundary with this neighbouring property, it is considered that the proposed extension would

appear visually dominant and would be overbearing, resulting in an increased sense of enclosure and loss of light to the upper floor flats within No. 55. It is recognised that this area is a tight-knit urban environment and that there are already a number of sizeable rear additions to the application building and others in the vicinity, but in this case, the proposal would exacerbate this in a way that would have a serious harmful impact on occupiers of these flats, also having a tunnelling effect, particularly on the occupiers of the first floor flat.

- 6.11 Taking into consideration the size and height of the proposed rear roof terrace and balcony at 1<sup>st</sup> and 2<sup>nd</sup> floor levels, the tight-knit urban environment, and the level of mutual overlooking and intervisibility between neighbours in this town centre location, it is considered that these features would not result in harm to the amenities of neighbouring property occupiers.
- 6.12 Having regard to the above, it is considered the proposal would fail to have regard to the constraints of neighbouring flats at 55 High Street and would have a serious adverse impact on occupiers of these flats contrary to the aims of policy DM2 of the CS and the NPPF.

Whether a good level of amenity would be provided for future occupiers?

- 6.13 The proposal would provide an enhanced shop frontage for the ground floor restaurant, and submitted plans show that this commercial use would benefit from associated toilets and storage space, including a rear area for bin storage. Provision for ventilation is also indicated on the supplied plans, and it is considered that provision of any external plant (i.e. kitchen extraction) required to facilitate the proposed use could be conditioned to be agreed prior to commencement of this use. Therefore, whilst concerns have been raised in respect of other regulatory requirements that may need to be met by the proposed restaurant, it is considered that these other regulatory requirements would be controlled by other legislation, noting that the Council's Environmental Health department has raised no adverse comments in respect of the application.
- 6.14 The proposed flats would provide improved residential accommodation on the upper floors of this building, with provision being made for front/rear facing windows to all living and bedroom areas of the flats. Two of these flats would benefit from external amenity space in the form of the proposed roof terrace and balcony at the rear. Whilst the other flats would not benefit from any exterior amenity space, the site is in a town centre location, close to shops, cafes and other services, as well as the beach/esplanade and its amenities. Therefore, in this case, it is considered that lack of amenity space externally for these flats would not result in a poor level of amenity for future occupiers.
- 6.15 The plans allow space for cycle and bin storage to serve the proposed restaurant and flats and these facilities could be agreed by planning conditions prior to these being brought into use.
- 6.16 Given the above, it is considered that the proposal would provide a good level of amenity for future occupiers in accordance with the aims of policy DM2 of the CS and the NPPF.



### Highways considerations

- 6.17 The proposal would not provide any on-site parking to service the proposed flats or restaurant. However, given the accessible nature of the town centre location, proximity of local shops, services and amenities, public transport links and car parks, it is considered that future occupiers of the development would not be reliant on the private car and that the restaurant use and flats would not have a negative impact on the highway network, particularly given the former use of this building.
- 6.18 The Council's Parking Guidelines SPD does not require on-site parking to be provided for residential uses within town centres, it is considered the proposal would not have a negative impact on the highway network and would comply with the Council's Parking Guidelines in accordance with the aims of policies SP7 and DM17 of the CS.

### Solent Special Protection Area Mitigation

- 6.19 The site is located within the Solent SPA buffer zone. Development proposals within this zone which would result in a net increase in residential accommodation are required to contribute towards the Solent Recreation Mitigation Strategy to mitigate for potential increased recreational disturbance on the SPA.
- 6.20 The upper floors of the building currently house 11 bedsits and the proposal would result in this being replaced with 5x 2-bed flats (total 10 residential bedrooms). As a result, the proposal would not increase the amount of residential accommodation within the building in terms of bed spaces. Therefore, as there would be no net increase in residential accommodation, it can be concluded that the proposal would have no adverse effect on the Solent SPA in terms of increased recreational disturbance and as such would comply with the aims of policy DM12 of the CS, the NPPF and the Habitats Regulations.

### Affordable Housing

- 6.21 Given the above, it is considered that the proposal would not result in a net increase in residential units at this site and therefore a contribution towards affordable housing provision off-site would not be required.

### Other matters raised

- 6.22 Whilst Environmental Health have referred to licensing and building regulations requirements, these matters are dealt with under separate legislation and are not planning considerations. Furthermore, in terms of external plant and kitchen extraction, as discussed above, this can be controlled by appropriate planning conditions.
- 6.23 The applicant has provided an assessment of the viability of the proposal and maintains that the current scheme, due to costs already borne by him, would not be profitable and would actually result in financial loss. He has advised that if the scheme were to be reduced further (to address the neighbouring amenity concerns discussed above), this would result in loss of a flat and an even

greater loss. Officers note that whilst the applicant has provided financial figures in support of this, these are significantly affected by the vacant/inactive state of the building and continued council tax/business rates liabilities. Furthermore, the financial assessment includes no income for the ground floor commercial unit/restaurant, simply stating that finding a tenant would be unlikely. Therefore, it is considered that the submitted viability assessment of the project is not a robust assessment of development viability and is heavily influenced by the personal costs borne to date by the applicant.

## **7. Conclusion**

7.1 It is acknowledged that the proposal would, on balance, enhance the appearance of the building, the street scene and the conservation area. However, for the above reasons, it is concluded that the proposal would have an adverse impact on neighbouring property occupiers (those of 55 High Street) contrary to the aims of policy DM2 of the CS and the NPPF. These concerns in terms of neighbouring amenity are considered to outweigh the benefits of the proposal in this case, particularly as the applicant's own information indicates the viability of the proposed development is questionable, and officers are not convinced a viable development could not come forward for this site, avoiding the identified impacts to 55 High Street.

## **8. Recommendation**

8.1 Refusal

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

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

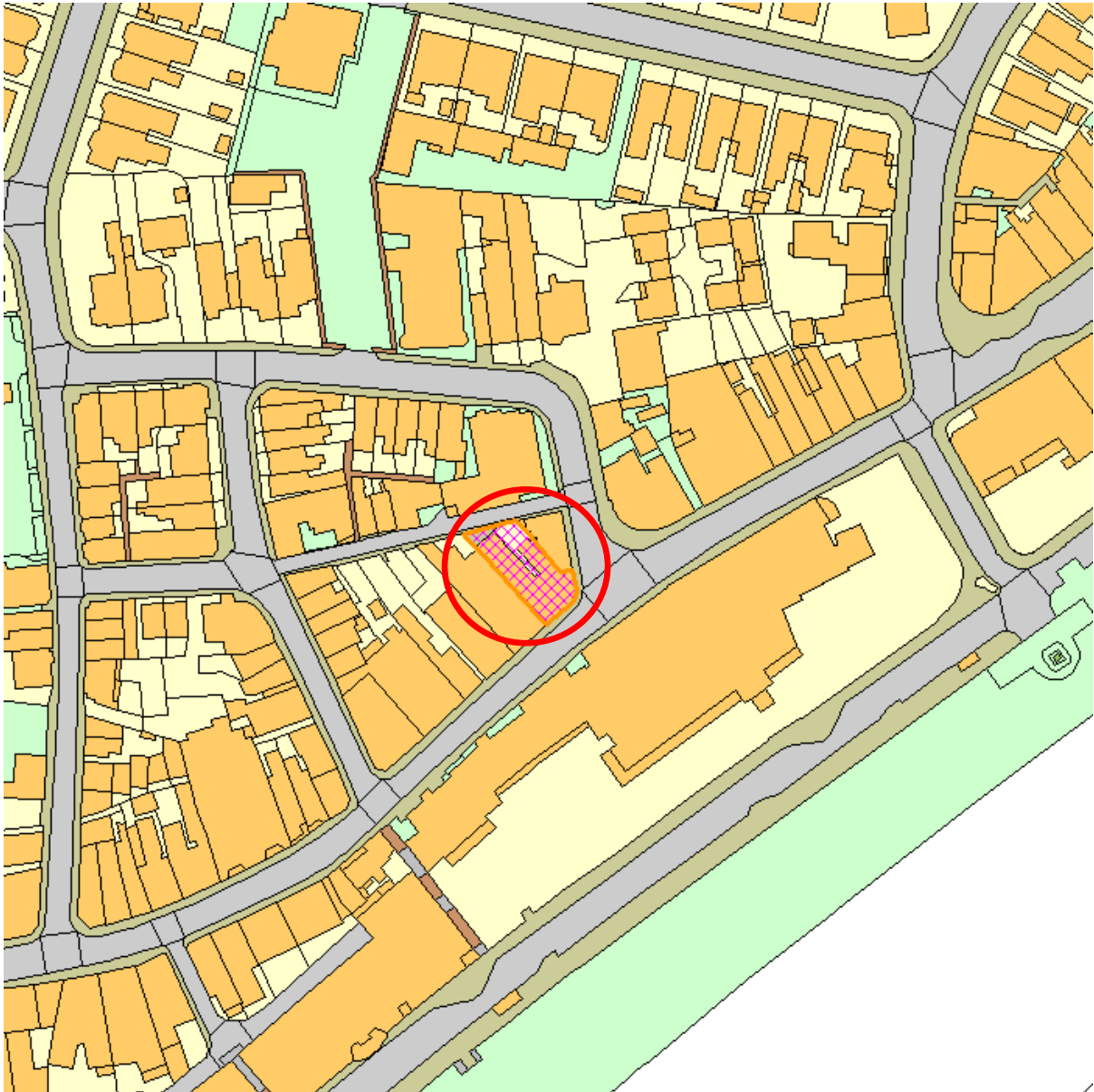
- The IWC offers a pre-application advice service;
- Updates applicants/agents of any issues that may arise in the processing of their application and, where there is not a principle objection to the proposed development, suggest solutions where possible.

In this instance:

- Advice had been provided to the applicant prior to submission of the application;
- The applicant was updated and advised of the Council's concerns during the application process;
- For the reasons set out in this decision notice, the application proposal was not considered to be a sustainable form of development and therefore no further discussions were undertaken.

## Reasons

1. The proposed rear extension, by reason of its position, scale/size, design and external appearance, would have a serious adverse impact on the amenities and living conditions of neighbouring property occupiers, particularly those of 55 High Street, Sandown, due to visual dominance of the proposed rear extension, an increased sense of enclosure and loss of outlook and light. Therefore, the proposal would be contrary to the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.



Scale:1:1250

**04 Reference Number: 19/00983/ADV**

**Description of application:** 3 x non-illuminated entrance signs; 1 x non-illuminated rock art installation

**Site Address:** Sandham Gardens, Culver Parade, Sandown, Isle of Wight, PO36 8AT

**Applicant:** Mr Marino Zanti, Heritage Attractions Ltd

**This application is recommended for Conditional Permission**

**REASON FOR COMMITTEE CONSIDERATION**

The application relates to land which is owned by Isle of Wight Council. Third party objections to the proposal have been received which in line with the Constitution require that this application be referred for committee consideration.

**MAIN CONSIDERATIONS**

- Whether the proposal is acceptable in relation to public safety and the amenity and general character of the area and therefore accords with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

**1. Location and Site Characteristics**

- 1.1. This application relates to an area known as Sandham Gardens which is located on the northern side of Culver Parade. Sandham Gardens itself stretches between Fort Street to the west and the boating lake to the east.
- 1.2 This application covers various locations across the site, on which adverts have been erected at the entrances into the site.
- 1.3 The overall site of Sandham Gardens includes a wide variety of leisure, tourism and play attractions such as a crazy golf course, children's playground, skate park, outdoor gym equipment, bowling green and toilet facilities. The northern boundary of the site includes vegetation and hedging and there are other areas of landscaping and grass within the site around the attractions.
- 1.4 Given the seaside location of the site, the surrounding area provides many leisure and tourism attractions such as Browns Golf Course, Dinosaur Isle and the Isle of Wight Zoo. The beach lies to the south of the site on the opposite side of Culver Parade and to the west incorporates a number of hotels, residential/holiday buildings and restaurants/cafes.

**2. Details of Application**

- 2.1 This application relates to advertisements in association with the overall use of Sandham Gardens and the various leisure facilities it provides. The signage

referred to within the application documents has already been installed.

- 2.2 A total of four signs are proposed. One would be located alongside the main entrance to the site and the junction of Culver Parade and Fort Street, which is referred to as a rock art installation. This element of works relates to concrete/resin mix over a metal frame which is affixed to the existing stone wall and gate piers. The concrete has been painted to resemble timber and is incised with 'Sandham Gardens'. The maximum height of the installations is 2.4 metres with both sections either side of the openings having a width of 3.64 metres.
- 2.3 The other three adverts subject of this application are entrance signs positioned at the car park entrance, canoe lake entrance and steps to the east of the Bandstand into the site. Each sign is formed of vertical timber sleepers with a chamfered top and left in a natural state. 'Sandham Gardens' is incised into the face of one of the sleepers and the overall dimensions of each sign area 2 metres high by 0.45 metres wide.

### **3. Relevant History**

- 3.1. The overall site of Sandham Gardens has a fairly extensive planning history. The most recent/relevant applications are as follows:
- 3.2 19/00245/FUL – Installation of a 4x net arrangement 'Net Palace' – Approved 12 July 2019
- 3.3 P/01147/18 – Proposed 18 no. garden huts – Approved 20 December 2018
- 3.4 P/00949/18 – Removal of existing Crazy Gold putting course and installation of new Dino Adventure Golf Course within same site area – Approved 12 October 2018
- 3.5 P/00521/18 – Installation of sky trail high ropes adventure course – Approved 05 July 2018

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

National Planning Policy

- 4.1. Section 12 of the National Planning Policy Framework relates to achieving well-designed places and highlights that good design is a key aspect of sustainable development and is fundamental to what the planning process should achieve.
- 4.2 Paragraph 132 of the NPPF states *"The quality of character and places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."*

Local Planning Policy

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

- DM2 Design Quality for New Development
- DM11 Historic and Built Environment

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

### Internal Consultees

5.1 The Council's Archaeology and Historic Environment Service recommend that IW Gardens Trust are consulted, and consideration is given to the gate piers.

### External Consultees

5.2 The IW Gardens Trust has advised it objects to the rock art installation due to the visual impacts and resultant impacts on the historic gate piers. No objection is raised to the other signage.

### Third Party Representations

5.3 A total of 5 third party representations have been received objecting to the proposal on the following grounds:

- Impact on the heritage of the entrance gate piers
- Original piers should be preserved and not altered
- Public safety due to increased height and construction of rock art installation
- Material used for pillars not robust
- Out of keeping with surrounding area
- Site should not be referred to as Sandham Gardens as is called Sandham Grounds
- Would have been preferable to form new entrance behind originals and preserve them
- Retrospective nature of application [Officer note: this is not a material consideration]

## **6. Evaluation**

### Whether the proposal is acceptable in relation to public safety and the amenity and general character of the area and therefore accords with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

6.1 The application seeks consent for entrance signage to Sandham Gardens. A total of four signs are proposed, one which the submission refers to as the rock art installations, is located at the main entrance to the site. This could be seen as two signs as they appear as stepped pillars either side of the existing entrance/exit. They comprise of a metal frame which has been installed over the retaining walls and gate piers. A concrete/resin mix has been added to this frame to create an enlarged feature wall either side of the entrance painted to resemble timber.

6.2 The existing gate piers are original features of the 1920s design of the gardens. They are constructed of a mix of brick, concrete and render and are

- in a poor state of repair. Each pier had large sections of signage added to it which largely obscured the pier from view when looking from outside the site.
- 6.3 The newly formed entrance to the site undoubtedly has a different appearance to that of the original walls and gate piers. However, since the overall refurbishment and upgrading of Sandham Gardens in recent months, the character and appearance has already substantially changed, with the installation of a dinosaur adventure golf course and permission for a 'net palace'. Officers therefore consider that the design, appearance and theme of the rock art installations is in keeping with the overall 'attraction' and changing character of the area. Furthermore, the site lies within a seaside location where there are a number of leisure and tourist facilities providing an eclectic mix of features of interest, which the works at Sandham Gardens add to.
- 6.4 Concern has been raised by both third parties and the IW Gardens Trust that the installations have a negative impact on the heritage quality of the area and that the size, design and scale is inappropriate. It is acknowledged that the height of the new walls and piers is higher than that of the gate piers. However, at their maximum height they are only 2.4 metres, which is not considered to be excessive. Taking this into account, officers consider that the rock art installations do not appear visually prominent or intrusive and are instead viewed in context with the facilities and appearance of the site as a whole.
- 6.5 In respect of the heritage value of the original piers, it is acknowledged that they are an historic feature of the garden design. However, they were in a poor state of repair and much of the historic quality and amenity value had been lost due to the condition and the inappropriate signage previously installed. Whilst it has been expressed by third parties and the IW Gardens Trust that the original piers should have been retained, it must be noted that the rock art installation has been constructed around the original piers and walls. As such, these features have been retained and preserved beneath the metal frame and resin and could therefore be relatively easily reinstated in the future.
- 6.6 Included in the comment from IW Gardens Trust is a concern that the entrance signage removes a visual connection from the road into Sandham Gardens and creates a feel of a 'pay to enter' site rather than that of a public garden. Given that the rock art installations do not introduce any new gates or other form of physical or visual separation, officers do not consider this to be the case and instead are of the opinion that the signage retains the public nature of the gardens. Furthermore, as outlined above, the previous signage, restricting access to the park for unauthorised vehicles was far more discouraging than that now being proposed.
- 6.7 A further three new advertisements form part of the application and have been installed at the other entrances to the site. These are simple and low key in their appearance and comprise of vertical timber sleepers. This natural material allows them to blend with the backdrop of the gardens themselves and as such they do not appear visually prominent or intrusive. Officers consider that they are in keeping with the visual appearance and character of Sandham Gardens and therefore do not result in any detrimental impacts in this respect.
- 6.8 Turning to public safety, advertisement applications must be assessed to establish whether they would result in any adverse impacts to pedestrians or



highway users. The Control of Advertisements Regulations 2007 identifies that this should include safety of all persons using the highway and whether the display of advertisements would obscure or hinder the interpretation of traffic signs or any device used for security or surveillance.

- 6.9 The signage subject of this application would be located along the boundaries of the site and as such would not encroach on any public footway or highway. All signage is non-illuminated and as such it would not result in any level of distraction for users of the highway. Although the rock art installations are relatively large, they are set back from the highway and are viewed in context with the overall site and as such would not present any distraction or public safety issue.
- 6.10 Third party concern has been raised that the increased height and construction of the rock art installations would cause public safety issues in terms of potential for people to climb or sit on them. Additional comments also assert that the material used is not robust. Officers acknowledge that the nature of the new walls and piers means that there would be potential for climbing etc. However, this would be similar to the risks involved with the original wall and piers or in fact any other feature of height. The inappropriate use of such walls is not a material consideration in the assessment of such an advertisement application and would instead be a matter for the site operators and/or police to control should the need arise.
- 6.11 Other third party objections have been raised on the grounds of the retrospective nature of the application also the assertion that the site should not be referred to as 'Sandham Gardens'. It is unfortunate that the signage has been installed prior to advertisement consent being sought and this is not a course of action that the Local Planning Authority would advocate. However, the application must be assessed on its own merits and the impacts of the signs in respect of the general character of the area and public safety and the fact that the signs are already in place cannot prejudice this assessment or determination of the application. In respect of the comments regarding the name, this is not a material planning consideration and as such holds no weight in this instance.
- 6.12 Having regard to the above, it is considered that the signage is acceptable and does not result in any harm to the character of the area or public safety. As such, the application complies with policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

## **7. Conclusion**

- 7.1 For the reasons set out above, it is considered that the proposal complies with the requirements of the policies listed within this justification. Therefore, it is recommended that the development is approved subject to appropriate conditions.

## **8. Recommendation**

- 8.1 Conditional permission.

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

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

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

In this instance, pre-application advice was provided, and the application was considered to be acceptable as submitted. Therefore no further discussions were required

### **Conditions:**

1 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

2 No advertisements shall be sited or displayed so as to –

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal, or to aid navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

3 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

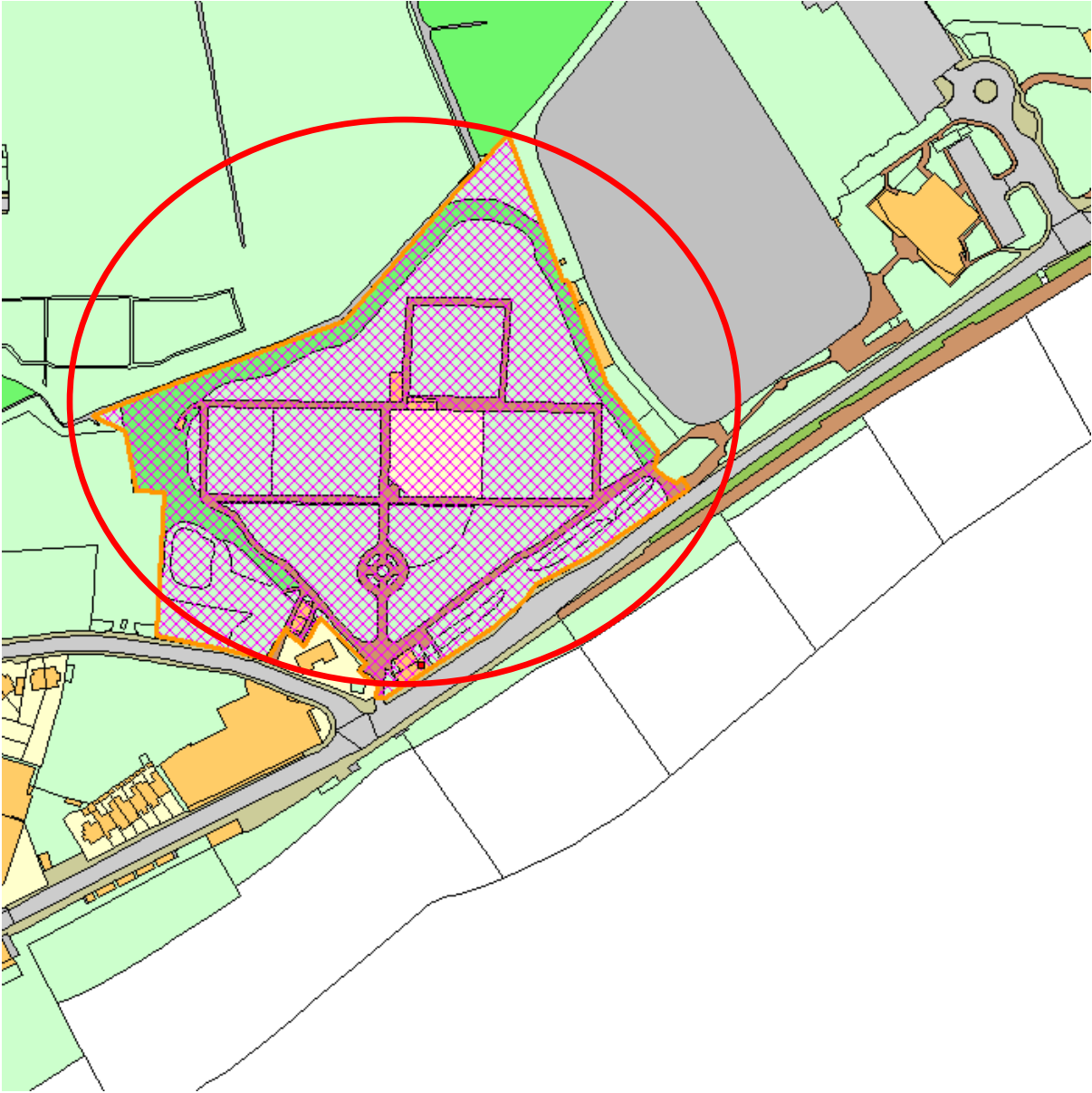
Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

4 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

- 5 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).



Scale:1:2500

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**05 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, approximately 0.63 hectares of which would be built on. 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 0.21 hectares and could 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:

- iii. 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
- iv. 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 then 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

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<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)

- 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 (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 viewpoints 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)
- Up to £8,000 towards sustainable transport routes
- 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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Ordnance Survey 100019229

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



Scale 1:2500

