

## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 21 JANUARY 2020

### 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 – 21 JANUARY 2020

1	<u><a href="#">19/00773/FUL</a></u>	Parish: Gurnard	<b>Conditional Approval</b>
	28 Albert Road, Gurnard, Cowes.	Ward: Cowes West and Gurnard	
	Proposed two storey building to provide four flats with parking.		

**01 Reference Number: 19/00773/FUL**

**Description of application:** Proposed two storey building to provide four flats with parking.

**Site Address:** 28 Albert Road, Gurnard, Isle of Wight PO31 8JU

**Applicant:** Westoak Homes Ltd

**This application is recommended for: Conditional Approval**

**REASON FOR COMMITTEE CONSIDERATION**

The Local Ward Member has requested a committee decision as he considers the redevelopment of this site in the manner proposed to be an over development of the site, that the nature of housing does not conform to the traditional street scene; would be overbearing on neighbouring properties and would not provide adequate amenities and parking.

**MAIN CONSIDERATIONS**

- Principle of the development
- Impact upon the character of the street scene and surrounding area
- Impact upon the amenity of adjoining residential occupiers
- Highway considerations
- Ecology and Trees
- Other matters

**1. Location and Site Characteristics**

- 1.1 The application relates to a vacant plot of land on the southern side of Albert Street in Gurnard. The plot was previously occupied by a bungalow that has since been demolished, in conjunction with an extant planning permission.
- 1.2 The southern side of Albert Road is generally characterised by Victorian properties. There is a mix of detached, semi-detached and terraces, which on the whole are of two storey height and sit on a similar building line.
- 1.3 The width of the application site along the road frontage is 15m, which is similar to the width of other double plots within the street containing pairs of semi-detached properties, whilst the plot is 38 metres in depth.

**2 Details of Application**

- 2.1 The application seeks consent for four two-bedroom flats. These would take the form of a two-storey building with a single storey element to the rear. The internal

layout would see two flats on the ground floor and two on the first floor. The first-floor flats would be duplexes, with the second bedroom for the first-floor flats would be located within the roofspace.

- 2.2 The building would have a pitched natural slate roof with a double gable facing towards the road and a mixture of render and cedar cladding on the elevations with a facing brick plinth. The rear ground floor element would have a flat roof and would be cedar clad with a facing brick plinth.
- 2.3 The submitted plans show that the first-floor rear windows would have Juliet balconies, however there would be no access to the flat roof.
- 2.4 The garden area to the rear of the proposed building would be divided into 4 to allow each apartment to have some private amenity and drying space.
- 2.5 The area to the front of the building would be used to provide 4 parking spaces and a bin storage for the resultant flats.

### **3 Relevant History**

- 3.1 P/01047/18: Variation of condition no. 2 on P/01111/17 to allow amendments to approved scheme was refused November 2018. This application was refused on the grounds that the proposed roof design and second floor glazing would be intrusive, unneighbourly and out of character with the street scene.
- 3.2 P/01111/17: Demolition of Bungalow, Proposed Construction of Two Detached Dwellings with Associated Vehicular Parking (Revised Scheme) was approved November 2017.
- 3.3 P/00181/17: Demolition of bungalow; proposed construction of two detached dwellings and garden rooms with associated vehicular parking was refused April 2017. This application was refused on two grounds, firstly that the siting, scale, design and proximity to the boundary of the site of the proposed dwellings would be intrusive, unneighbourly and out of scale with the street scene. The second reason for refusal related to inadequate information in respect of the impact on trees.

### **4 Development Plan Policy**

#### **National Planning Policy Framework**

- 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  
DM4 - Locally Affordable Housing  
DM12 - Landscape, Seascape, Biodiversity and Geodiversity  
DM17 - Sustainable Travel

#### Neighbourhood Plans

4.5 Gurnard Neighbourhood Development Plan

#### Supplementary Planning Documents

4.6 Affordable Housing Contributions Supplementary Planning Document, March 2017.

4.7 Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD), January 2017.

4.8 Refuse and Recycling Supplementary Planning Document (SPD), January 2017.

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

### External Consultees

- 5.1 Island Roads, on behalf of the Highway Authority have advised that the parking spaces are of sufficient size and that all but one of the spaces comply with the visibility requirements. The one space that fails is due to an intervening telegraph pole, however they then go on to advise that due to parked vehicles and double yellow lines, the chances of vehicles being on the wrong side of the road are remote and therefore this level of visibility can be waived in this instance. They have also advised that the level of parking proposed would be compliant with the parking provision SPD.

### Parish/Town Council Comments

- 5.2 Gurnard Parish Council object as they consider that the proposal;
- Is an over development of the site in terms of scale and mass,
  - is out of keeping for a village location,
  - is overbearing and will take amenities and light from immediate neighbours.
  - Concerns over drainage which is already poor.
  - Parking for the area is already at a premium.
  - The proposal is unlikely to provide accommodation for local people.
  - Has the site been checked for badger setts?

### Third party representations

- 5.3 12 comments have been received from local residents, who have objected raising comments that can be summarised as follows:
- Proposal would result in extra vehicles in the village, already suffering with traffic congestion.
  - Increased pressure on parking, air pollution, noise, water, drainage, sewerage, drainage and waste collections.
  - Impact on privacy, light and views of neighbouring properties.
  - Increased noise levels due to four dwellings replacing one.
  - Flats are not appropriate for the area which mainly consists of Victorian houses.
  - Building would be substantially larger than the bungalow it replaces which would be contrary to the Gurnard Neighbourhood Plan.
  - Insufficient parking provision.
  - Flats are unlikely to attract local buyers.
  - Rear building line would extend beyond rear of neighbouring dwellings.
  - Design of building is not in keeping with neighbouring dwellings.
  - Overlooking from roof lights.
  - Impact on wildlife.
  - Existing residents of Gurnard are not being considered.

## **6 Evaluation**

### **Principle of the proposed development**

- 6.1 The application relates to a now vacant plot located within the village of Gurnard, within the Medina Valley settlement boundary. 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.
- 6.2 The site originally contained one dwelling, a bungalow, which has now been demolished. Due to the sites location within the Medina Valley settlement boundary the broad principle for an increased number of residential units on the site is acceptable in line with Policy SP1 and SP2 of the Core Strategy. It is also acknowledged that elements of SP1 can be considered as out of date, due to the lack of delivery over the past few years. As a result, housing located within sustainable locations should be supported.
- 6.3 Third party comments have been received suggesting that the application would be contrary to the Gurnard Neighbourhood Plan (GNP) policies in particular policy H1.2 which outlines that proposals should demonstrate how they provide the housing types, design and tenures that where appropriate, meet local housing need especially the most recent housing needs survey for Gurnard, in particular the need for housing suited to the needs of older people. Firstly, it should be noted that policy H1.1 for the GNP outlines that residential development within the parish should be prioritised on sites located within the settlement boundary. The scheme complies in locational terms with this aim. In respect of H1.2; the Gurnard Housing Needs Assessment was undertaken in 2013 and outlined that it estimated the housing requirements for local people for the period 2013-18. The study is therefore considered to be out of date. Nonetheless, the study did identify the need for two-bedroom units. The development would also go towards meeting the wider housing needs of the Medina Valley Key Regeneration Area.
- 6.4 As the Gurnard Housing Needs Assessment is considered to be out of date the most appropriate needs assessment to have regard to is the Islandwide survey undertaken in 2018. This identifies a significant need across the Island for 2-bedroom units. The application is therefore considered to be acceptable in principle.

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

- 6.5 The external appearance of the building would take its cue from the prominent design features of surrounding properties, with gables and bay windows on the front elevation. The use of render and timber cladding, would give a more contemporary overall appearance to the building but officers consider that this would be appropriate, especially having consideration to the mix of materials in the wider street scene and the fact the previously building on site was entirely out of context with the prominent design detailing in the area.

- 6.6 The previous approval on this site consented two detached units, which would have had prominent gable features onto the road, similar in design terms to no. 24. The proposed scheme would simply conjoin these gables to optimise the potential for the site, in accordance with policy DM2. This increased scale would be mitigated through the use of articulation with the bay features, differing material finishes and the gable features referenced above. Officers consider that the proposed design, scale and mass of the building, when compared to that previously approved on the site, would be appropriate and would sit comfortably within the street scene.
- 6.7 The current proposal would be of a similar design and position than that previously approved. The footprint would be 0.9 metres deeper whilst the pitch of the most westerly part of the building would be 0.5 metres higher than approved as a result of it being one building as opposed to two separate dwellings that stepped down to follow the slope of the road. The side elevation of the proposed building would sit the same distance away from the neighbouring common boundaries as that previously approved.
- 6.8 The submitted drawings show that the proposed building would sit 3.2 metres back from the road frontage, allowing each flat one 'nose-in' parking space in front of the building. The approved scheme had a staggered arrangement with one dwelling sat 4.8 metres back and one 6.2 metres back. The proposed building therefore, whilst not completely in line with the general front building line in the area would nonetheless sit in a position more akin to the wider pattern of development than the previous approval.
- 6.9 The use of the frontage for parking would result in an area of hard surfacing to the front of the site, which would not be consistent with the general character of the area. However, the use of this area for parking has already been approved through this previous application. It would therefore not be reasonable for raise objection to this feature.
- 6.10 The current application also proposes a single storey rear element similar to the previous approval. Although this would incorporate a flat roof, it would not be apparent within the street scene or from any other public vantage point. It is therefore considered that this element of the application would not have any impact on the character of the area.
- 6.11 The scale and massing of the proposed building would be similar in proportion to the surrounding Victorian dwellings prevalent in the area, albeit using slightly more modern materials and detailing. The gables to the front representing the strong gables, characteristic of Victorian properties.
- 6.12 Each flat would have a lounge with kitchen and dining area, a bathroom and two bedrooms, one en-suite. The two ground floor flats would be totally contained on the one floor whilst the two first floor flats would each have one en-suite bedroom on the first floor and 1 en-suite bedroom each within the roof space.
- 6.13 Having regard to the above, it is considered that overall the proposal would enhance the appearance of the area in accordance with the aims of policies



DM2 of the CS and the NPPF.

Impact on the amenity of adjoining residential properties

- 6.14 The site has neighbouring properties on three sides, 24 Albert Street to the east, 34 Albert Road to the west and 20 Tilbury Road to the south (rear). The greatest impact from the proposed development would be on 24 Albert Road, which has side facing windows onto the site.
- 6.15 The proposed building would sit nearer to the road than the approved scheme with the two-storey element of the proposal, approximately 1.5 metres deeper than previously approved. It is acknowledged that there would be some increase in impact as a result, primarily on number 24. The additional impact would be largely concentrated on a side window towards the front elevation of number 24. However, this window is a secondary window, the room it serves also having a front facing window. It is therefore considered by officers that in this instance the increase in impact, in terms of the physical mass of the building, would be minimal when compared to the previously approved application and would therefore be acceptable.
- 6.16 With regards to the impact on number 34, the front elevation would still sit back from the front elevation of this dwelling, whilst the rear elevation of the two-storey part of the building would end fairly level with the rear elevation of this house. The single storey element of the building to the rear would have minimal impact, given its limited height and position pulled away from the boundary on each side.
- 6.17 Turning to the issue of overlooking, there are a number of side elevation windows within the proposed scheme. One on each side at ground floor level that would effectively be screened by the boundary treatment (secured by condition) and one on each elevation at first floor. The first-floor windows would be conditioned to be obscure glazed and non-opening apart from the top fan light. There are also a number of roof lights, these would be sited far enough up the roof plane to cause minimal overlooking. Whilst the rear first floor windows have Juliet balconies, these only offer the same level of overlooking as a window whilst access has been restricted to the flat roof by way of condition. The level of overlooking from these rear facing windows would therefore be no greater than that approved by the previous consent. It is acknowledged that the first-floor windows would now serve living areas opposed to bedrooms but, as the use of the internal spaces cannot be controlled officers considered the harm would not be unacceptable.
- 6.18 With regards to the concerns that have been raised that the development would result in overlooking and an overbearing impact to 20 Tilbury Road, officers appreciate the proposal would result in the introduction of a taller building on site with first floor windows in the rear elevation facing no. 20 Tilbury Road. However, in view of the fact that such a relationship between two storey dwellings in Albert Road and the properties in Tilbury Road is a common occurrence and the intervening distance between the two-storey height elevation of the dwellings and the rear boundary, which is at least 20m, it is considered

that a refusal could not be sustained on this issue.

- 6.19 Third party comments have suggested that the proposed development would result in increased noise levels due to four dwellings replacing one. Officers consider that the scale of development, its residential use and the residential nature of the surrounding area is such that the harm would not be significant.
- 6.20 While officers acknowledge that the development would have a slightly greater level of impact upon the amenity of the neighbouring property occupiers compared to the previous approval, for the reasons outlined above it is concluded that this scheme would be acceptable.

#### Highway Considerations

- 6.21 Albert Road is an unclassified road with a 30mph speed limit. The application site benefits from an existing vehicular access and drop kerb at the eastern end of the road frontage. On the site visit it was noted that there are double yellow lines across the eastern half of the site frontage.
- 6.22 The application site is located within Zone 2, as defined with the parking SPD. Within these areas two-bedroom properties such as that proposed are expected to provide one parking space per dwelling and the provision of 2 long stay and 1 short stay cycle stands per unit. The development proposes the provision of 1 nose in parking spaces for each dwelling and officers are satisfied that there is ample room within each of the plots to provide secure cycle storage. The proposal therefore meets the requirements of the parking SPD.
- 6.23 Policy T1 (Private parking) of the Gurnard Neighbourhood Development Plan outlines that new development must make adequate provision for off-street parking, taking into consideration the type of development and the accessibility of the location. Policy T1 outlines that for residential development, a minimum of one-off road parking space will be required for new dwellings that have one to two bedrooms and two off street parking spaces should be provided for new dwellings that have three or more bedrooms. The proposed flats are shown to have two bedrooms each and one on-site parking space is shown to be provided within the development for each dwelling. Therefore, the development would be in accordance with Policy T1 of the Gurnard Neighbourhood Development Plan.
- 6.24 As Albert Road is an unclassified road, on-site turning provision would not be a necessary requirement. The space provided for parking to the front of the building would provide adequate space for the parking of one car for each flat to the front of the ground floor flats in line with design guidance.
- 6.25 Third parties have raised concerns that the development will increase parking pressures in Albert Road. However, as outlined above the scheme would comply with the parking SPD and the GNP. It would therefore be entirely unreasonable to object on the issue of insufficient parking provision. The proposal would result in the loss of some off-street parking, due to the increase frontage, however there would be the trade-off with the addition of extra on-site parking provided. This would also have been the case in respect of the previously approved

application.

- 6.26 Comments have also suggested that the application would result in extra vehicles in the village, which already suffers from congestion. However, Island Roads have confirmed that they consider the traffic generation associated with this proposal would not have a negative impact on the capacity of the highway network.

#### Ecology and trees

- 6.27 Third parties have raised concerns that the proposal would result in an adverse impact on wildlife, with particular reference to there being badger setts in the local area and potentially within the application site.
- 6.28 During the previous application, the applicant advised there was no badger sett on site, there were no obvious signs of a badger sett being present on site during the officers' site visit, and the Council's records do not record a sett being present on site. While the LPA acknowledge that the submission could be improved through the provision of a badger survey/ecology report, given the above information, the nature of the site and the fact the site is not linked to suitable foraging ground, the Local Planning Authority are of the opinion that the site does not show high potential for badgers to have established setts here, and as no evidence to the contrary has been provided by third parties or the Badger Trust the Local Planning Authority consider there is insufficient information to trigger the need for an ecology report in this instance, especially considering the extant consent on site.
- 6.29 As there have been reported sightings of badgers within the vicinity of the site it is however considered appropriate to include an informative to any approval granted to highlight that in the unlikely event a badger sett is discovered all works should stop and a licensed badger worker should be contacted.
- 6.30 Whilst there is no tree report submitted with this application, during the previously approved application, the Council's Tree Officer assessed the proposal and was satisfied that the development would have little, if any direct impact on these trees. This has not altered as a result of the current proposal. It was, however, acknowledged that they could be damaged during the construction process by the compaction of the soil around the roots or damage to the crown by passing vehicles and equipment. Therefore, it is the Council's Tree Officer recommendation that the trees have a protective fence positioned around them during the period of construction. A condition is therefore recommended in this regard. Officers are therefore satisfied that the proposed development would not have an unacceptable impact on trees.

#### Other matters

- 6.31 The applicant has entered into a Unilateral Undertaking, committing to make the relevant monetary contribution for affordable housing and the Solent Protection Area Mitigation.

- 6.32 Third party concerns have been raised with regards to drainage within the area and the capacity of the existing sewerage system within the area. Officers are satisfied that the scale of the development is such that the proposed development would not result in a significant impact on the existing sewerage system. Nonetheless, any developer would need to apply to southern water for connection to the existing system, where there was adequate capacity.
- 6.33 Comment raise concerns that the proposals would result in increased air and noise pollution. Officers consider that the scale of the development is such that it would not result in significantly greater impact within this primarily residential area.
- 6.34 While it has been noted that a third-party objector has raised that the proposal would be contrary to Policy E1 of the Gurnard Neighbourhood Plan because it would not result in the replacement of a building of the same size as the one currently on site. Having reviewed Policy E1 officers have identified that this requirement is only sought in areas identified as being within the Jordan Valley (LCA 7) or the part of the East Gurnard Cliff and Woods (LCA 8) falling within Gurnard Parish, as identified on the Gurnard landscape character areas map. The application site does not fall within either of these two areas and therefore this requirement is not relevant.
- 6.35 Third parties have suggested that the flats are unlikely to attract local buyers. However, not evidence has been provided to justify this statement. Furthermore, having due regard to the housing need and the nature of the units the dwelling type is considered to be acceptable.

## **7 Conclusion**

- 7.1 Having given due weight and regard to all material considerations, for the reasons set out above, the proposal, subject to the recommended conditions, is considered to comply with the requirements of the policies listed within this justification.

## **8 Recommendation**

- 8.1 Conditional Approval

## **9 Statement of Proactive Working**

- 9.1 ARTICLE 31 - WORKING WITH THE APPLICANT

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:

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

In this instance the application was considered to be acceptable as submitted and therefore no further discussions were required.

### **Conditions/Reasons**

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

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

2. The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered P1 revision D.

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

3. No site preparation or clearance shall begin, and no equipment, machinery or materials shall be brought onto the site for the purposes of the development hereby permitted, until details of measures for the protection of existing trees to be retained have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with the BS5837:2012 standard and include a plan showing the location of existing trees to be retained and the positions of any protective fencing. Development shall be carried out in accordance with the approved details and any protective fencing shall be erected prior to work commencing on site and will be maintained until all equipment, machinery and surplus materials related to the construction of the development have been removed from the site. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, unless otherwise authorised by this permission or approved in writing by the Local Planning Authority.

Reason: This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure existing trees to be retained are adequately protected throughout the development of the site in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

4. No part of the dwellings hereby approved shall be constructed above foundation level until samples of the materials and finishes 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 and Policy DM12 Landscape, Seascape, Biodiversity and Geodiversity of the Island Plan Core Strategy.

5. The dwellings hereby approved shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority of the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings hereby permitted are occupied. Development shall be carried out in accordance with the approved details and maintained as such thereafter.

Reason: In the interests of the amenity of the neighbouring property occupiers and to comply with policy DM2 Design Quality for New Development and DM12 Landscape, Seascape, Biodiversity and Geodiversity of the Island Plan Core Strategy.

6. No dwelling hereby approved shall be occupied until space has been laid out within the site and drained and surfaced in accordance with details to be submitted to the Local Planning Authority for approval in writing for four cars to park. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

7. The roof areas of the ground floor flats hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

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

8. Notwithstanding the approved plans prior to the development hereby approved being brought into use, the first floor windows on the west and east elevations, as shown on the submitted plans serving the kitchenette for flats 3 and 4 shall be fitted with obscure glass with a glass panel which has been rendered obscure as part of its manufacturing process to Pilkington glass classification 5 (or equivalent of glass supplied by an alternative manufacturer), of which the cill of the only opening section shall be 1.7m above finished floor level. The window shall be retained to this specification hereafter.

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

**Informative(s):-**

All works must proceed with caution as protected species may be present - with particular reference to badgers, protected under UK and European law. Any necessary vegetation clearance should be carried out by hand prior to development. If any badger setts are found all works in that area are to stop immediately and advice sought as to how to proceed from:

Natural England: Contact Natural England for further information. Tel: 0300 060 6000