

# Public Document Pack



Monitoring Officer  
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## Agenda

Name of meeting	<b>PLANNING COMMITTEE</b>
Date	<b>TUESDAY 21 JUNE 2022</b>
Time	<b>4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Members of the Committee	CLLrs J Medland (Chairman), W Drew (Vice-Chairman), D Adams, G Brodie, V Churchman, C Critchison, C Jarman, M Lilley, M Oliver, M Price, C Quirk, P Spink  G Alldred (IWALC)  P Fuller (Cabinet Member for Planning and Community Engagement)  Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

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1. **Minutes** (Pages 3 - 6)

To confirm as a true record the Minutes of the meeting held on 26 April 2022.

2. **Declarations of Interest**

To invite Members to declare any interest they might have in the matters on the agenda.



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's Committee [website](#). This information may be available in alternative formats on request. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

3. **Public Question Time - 15 Minutes Maximum**

Questions are restricted to matters not on the agenda. Questions may be asked without notice but to guarantee a full reply at the meeting, a question must be put including the name and address of the questioner by delivery in writing or by electronic mail to Democratic Services at [democratic.services@iow.gov.uk](mailto:democratic.services@iow.gov.uk) no later than two clear working days before the start of the meeting. Normally, Planning Committee is held on a Tuesday, therefore the deadline for written questions will be Thursday 16 June 2022.

4. **Report of the Strategic Manager for Planning and Infrastructure** (Pages 7 - 62)

Planning applications and related matters.

5. **Members' Question Time**

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to [democratic.services@iow.gov.uk](mailto:democratic.services@iow.gov.uk) no later than 4.00 pm on Friday, 17 June 2022. A question may be asked at the meeting without prior notice but in these circumstances, there is no guarantee that a full reply will be given at the meeting.

CHRISTOPHER POTTER  
Monitoring Officer  
Monday, 13 June 2022



## Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and Time	<b>TUESDAY 26 APRIL 2022 COMMENCING AT 4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs M Lilley (Chairman), D Adams, V Churchman, C Critchison, W Drew, C Jarman, K Lucioni, M Oliver, M Price, C Quirk and P Spink
Officers Present	Oliver Boulter, Ben Gard, Jodie Gibson, Alan Ransom (on behalf of Island Roads), Neil Troughton (on behalf of Island Roads), Sarah Wilkinson
Apologies	Cllrs G Brodie

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### 63. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 29 March 2022 be approved.

### 64. **Declarations of Interest**

Councillors Matthew Price and Martin Oliver declared an interest in minute number 66 (Former Somerton Reservoir off, Newport Road, Cowes) as they knew the applicant.

### 65. **Public Question Time - 15 Minutes Maximum**

There were no public questions submitted.

### 66. **Report of the Strategic Manager for Planning and Infrastructure Delivery**

Consideration was given to item 1 of the report of the Strategic Manager for Planning and Infrastructure Delivery.

A schedule of additional representations received after the printing of the report were submitted at the beginning of the meeting and were drawn to the attention of the Councillors when considering the application. A note is made to that effect in the minutes.

**Application:**

P/00356/18

**Details:**

Demolition of bungalow; proposed residential development comprising 28 dwellings, 3 blocks of flats comprising of 72 units, 1 block of assisted living accommodation comprising of 44 units, 1 staff unit and 1 guest unit (total of 146 units); associated parking; new vehicular access and landscaping

Former Somerton Reservoir off, Newport Road, Cowes

**Site Visits:**

The site visit was carried out on Friday, 22 April 2022.

**Public Participation:**

Mr David Long (Agent)

**Additional Representations:**

Five additional letters of objection had been received, the content was summarised, the planning agent for the application had commented on the report.

**Comment:**

Cllr John Nicholson spoke as Local Councillor and Cllr Lora Peacey-Wilcox spoke as adjoining Local Councillor on this item.

Questions were raised regarding a right hand turn only out of the site, highway representatives advised that the transport assessment had been considered with a 50/50 split to traffic turning either way, it was believed there would be an increase in traffic on the Somerton roundabout, however planning officers advised that should councillors wish to add a requirement for a right turn only they would have to bear in mind that it would be doubling the identified traffic generation onto Somerton roundabout and therefore the impact would also be doubled.

The Committee asked if conditions could be added to include the maximum amount of roof space used for solar harvesting and the incorporation of electrical charging points for both cars and bikes given the council's carbon policy, officers advised that there were concerns regarding a condition relating to the solar harvesting due to the potential wording not complying with the tests as it would not be specific, although a condition relating to electrical charging points could be added.

Concern was raised regarding drainage and the committee asked if condition 22 could be amended to be more robust regarding this issue, officers advised that there had been an error on the condition which should read commencement and not occupation. Officers also advised that Southern Water had been consulted on the application and the Local Planning Authority were unable to stipulate where/how the connection to the drains was managed.

Questions were asked regarding the Special Protected Area (SPA) and the ecologists' comments as consultee for the application, Planning officers advised that a balance had been made between the impact on the SPA and the proposed

development. It was noted that the reservoir had been emptied of both fish and water, but it now contained water again, mainly due to it still connecting to highway drainage.

The Committee asked for clarification of the local connection scheme for housing and how this would read within the legal agreement attached to the application, a short adjournment was taken for officers to find the wording for this and provide to the Committee. Following the adjournment Legal services read out possible wording of the agreement. It was then asked if a survey could be requested to ensure the condition was complied with.

Safe cycle routes were questioned, and officers advised that they could not confirm if the road was wide enough to accommodate an additional cycle lane onto Newport Road, where the cycle lane would go to and from and whether this would be reasonable in respect of the scale of the proposed development. Viability of the development was also considered as a cycle lane could increase costs to the developer.

**Decision:**

The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under the paragraph entitled Justification for Recommendation of the report and:

**RESOLVED:**

THAT the application be approved subject to additional and amended conditions listed below:

**Additional Conditions:**

- No right hand turn out of the site
- The maximum possible roof space solar harvesting to be provided
- 25% of car parking spaces and all cycle space to provide electrical charging points
- Memorial signage for TollGate Cottage (on which the Parish Council will be consulted)
- Ecological management strategy to be in place to deal with wildlife on/in the water prior to the drainage of the reservoir

**Additional requirements in the Section 106 agreement:**

- Local connect to be included similar to that as read out by legal
- Survey of where new owners had moved from to demonstrate above requirement had been complied with
- Affordable housing to be provided equally between unit types/sizes on site (5 houses, 5 assisted units and 5 flats)

**Amended Condition 22**

The development hereby permitted shall not be commenced until a scheme for the drainage and disposal of surface and foul water from the development hereby permitted and the existing highway surface water drainage, which is currently

accommodated on site, has been submitted to and approved in writing by the local planning authority. The details shall confirm the Wastewater Treatment Works (WWTW) that will treat drainage from the development hereby permitted and where on-site petrol interceptors will be installed. [Southern Water will be consulted on this condition prior to discharge]

**67. 2021-22 Appeals Performance Report**

The Strategic Manager for Planning and Infrastructure Delivery advised that the performance on planning appeals indicated the quality of decisions made, he highlighted that the statistics showed the Local Planning Authority performed well at appeal with better or the same as national averages.

RESOLVED:

THAT the report was noted.

**68. Cross Party Working Group**

The Cabinet Member advised that there was a lot of work being undertaken with the aid of officers, the Terms of Reference had been reviewed and the final draft would be circulated soon. The group had met and requested information from relevant officers which had been supplied and circulated to the working group.

RESOLVED:

THAT the update be noted.

**69. Members' Question Time**

There were no questions submitted.

CHAIRMAN

## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 21 JUNE 2022

### 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.**

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## INDEX

1	20/01733/OUT	Parish: Nettlestone And Seaview	
	Land North of Woodland Close and Adjacent Cedar Lodge and Thornton Cottage, Puckpool Hill, Seaview.	Ward: Nettlestone And Seaview	<b>Approval</b>
	Outline for up to 50 residential dwellings (with details of access), creation of a new access off Puckpool Hill, and provision of public open space, landscaping and associated works (revised illustrative master plan, biodiversity net gain calculation, revised flood risk assessment, and response to Island Roads comments received) (readvertised application)		
2	22/00293/FUL	Parish: Sandown	
	14 High Street, Sandown, Isle of Wight.	Ward: Sandown South	<b>Refusal</b>
	Change of use from commercial (former bank) to a dwelling		

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**01 Reference Number: 20/01733/OUT**

**Description of application:** Outline for up to 50 residential dwellings (with details of access), creation of a new access off Puckpool Hill, and provision of public open space, landscaping, and associated works (revised illustrative master plan, biodiversity net gain calculation, revised flood risk assessment, and response to Island Roads comments received) (readvertised application)

**Site Address: Land North of Woodland Close and adjacent Cedar Lodge and Thornton Cottage, Puckpool Hill, Seaview, Isle of Wight**

**Applicant: RJB SIBA Trust**

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

**REASON FOR COMMITTEE CONSIDERATION**

The application is considered to raise marginal and difficult policy issues and therefore in accordance with the Council's Constitution has been referred to the Planning Committee for consideration.

**MAIN CONSIDERATIONS**

- Principle – location and delivery of new housing
- Impact on the character of the area, including trees
- Impact on heritage assets and their settings
- Impact on ecology and biodiversity
- Impact on neighbouring properties
- Highway considerations
- Drainage and flood risk
- Minerals safeguarding

**1 Location and Site Characteristics**

- 1.1 The application relates to an area of open space historically associated with the former holiday camp to the immediate north (Harcourt Sands). There are remnants of its past use as a miniature golf course on the site. The former holiday site closed some time ago and benefits from planning permission for redevelopment to provide 128 dwellings, 63-bed hotel or 15 holiday units, car park for Puckpool Park and associated access and landscaping works (see P/00573/15), which has commenced. As such this area is no longer used for its previous purpose.
- 1.2 The site is located on the southern side of Puckpool Hill, about 80m from its junction with Appley Road to the west. It extends (as the crow flies) approximately 260m eastwards along Puckpool Hill and is around 3 hectares in area. Puckpool

Hill falls to the north and east, and there is an overall fall across the site from its highest point on the western boundary to its lowest point within its south east corner of about 14.5m. Higher ground within the site is within its centre, and falls from here to the south, east, and north. Puckpool Hill is about 2-2.5m lower than the central areas of the site to the south.

1.3 The site is bounded by trees and hedgerows, with part of the south boundary defined by an existing stone wall that adjoins the rear gardens of properties in Woodlands Close. The interior of the site is predominantly grassland and pockets of scrub, and there is an existing pond feature within its southwest corner. A Tree Preservation Order (TPO/2013/08) affords protection to trees along the eastern site boundary, and individual trees and groups along and near the north roadside boundary, around the pond, and within the north west corner of the site. There is an existing gated access to the site off Puckpool Hill near the entrance to Puckpool House.

1.4 The site is bounded by Puckpool Hill to the north, where there are existing residential properties, including Puckpool Close, as well as residential properties to the west, east, and south, including Cedar Lodge and Cedar Lodge Cottage off Puckpool Hill to the east, properties in Woodlands Close to the south, and grade II listed Thornton Cottage to the west. Woodlands Vale Estate registered historic park and garden (grade II\* listed) adjoins the south east corner of the site, with the grade II listed Woodlands Vale house located about 100m to the south east of the site. The estate also includes other grade II listed buildings:

- Woodlands Vale Lodge
- Garden building to the north west of Woodlands Vale
- Garden building to the south east of Woodlands Vale
- Japanese Steps and Shinto Arch

Woodlands Vale Park is also locally listed. Grade II listed Puckpool House is located approximately 55m to the north east on the north side of Puckpool Hill, and Puckpool Park (designated open space) 250m to the north east also contains the remains of the mortar battery (scheduled monument). Puckpool Lodge (grade II listed) is to the immediate west of Puckpool Park.

1.5 In addition to Puckpool Park, there are other areas of designated open space within the surrounding area, including Appley Park (150m to the north west) and the playing field to the immediate west (currently used for archery). The seafront and beach (250m to the north) can be reached via Puckpool Hill and through Appley park.

## **2 Details of Application**

2.1 The application seeks outline planning permission for up to 50 dwellings on the site with means of access the only matter being considered at this stage. Matters relating to the layout of the development, scale and appearance of the dwellings, and landscaping of the site have been reserved for later approval (reserved matters). An indicative masterplan has been submitted in support of the application for illustrative purposes only.

- 2.2 The proposed housing would be served by a new vehicular access formed within the Puckpool Hill roadside site boundary opposite the existing residential property known as Queensview, Puckpool Hill. Submitted plans show that this new access would take the form of a priority junction with an on-site carriageway 5.5m wide, and adjacent footways 2.0m wide.
- 2.3 Between Puckpool Close and the Harcourt Sands entrance north of the site a widened 5.5m carriageway and 1.8m footway (north side only) would be provided on Puckpool Hill. To facilitate this, and 2.4m x 59m visibility splays for the site access, approximately 118m section of existing roadside boundary hedgerow along the northern edge of the site would be removed/cut back. Puckpool Close would also be realigned to tie into this new highway arrangement. Uncontrolled tactile crossing points would be installed to facilitate crossing of Puckpool Close, as well as Puckpool Hill either side of the proposed site entrance. Submitted plans indicate that new planting would be undertaken either side of the proposed access to replace the boundary hedgerow that would be lost, but further set back behind the access sightlines.
- 2.4 The submitted Transport Statement also details additional offsite works on Appley Road to include:
- New bus shelter (north side – opposite Thornton Close)
  - Replacement of existing unbound footway with new 1.5m wide bituminous footway (north side, running south of the archery field towards Appley Manor)
  - Repositioned bus shelter (south side – outside Thornton Close), new section of footway in front to provide safe refuge (currently the existing shelter is accessed from the live carriageway)
  - Installation of uncontrolled tactile crossing points and drop kerbs (north side – outside archery field entrance, and south side – near Thornton Close junction).

To facilitate these works, existing road markings on this section of Appley Road would be modified to reduce lane width and allow space for the bus shelter refuge/footway to be installed.

- 2.5 The highway/footway widening works on Puckpool Hill, and the offsite highway/bus stop works on Appley Road, proposed in this application are the same as those comprised in the approved Harcourt Sands development P/00573/15.

### **3 Relevant History**

- 3.1 None relevant to this site.

### **4 Development Plan Policy**

National Planning Policy

- 4.1 The National Planning Policy Framework (NPPF) sets out three roles (economic,

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

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

4.2 At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay, or where the development plan is absent, silent, or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted.

#### Local Planning Policy

4.3 The Island Plan Core Strategy (CS) defines the application site as being within the Ryde Key Regeneration Area but outside of its defined settlement boundary. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP5 Environment
- SP7 Travel
- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM4 Locally Affordable Housing
- DM5 Housing for Older People
- DM7 Social & Community Infrastructure
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM17 Sustainable Travel
- DM20 Minerals
- DM22 Developer Contributions

#### Supplementary Planning/Relevant Documents

- 4.4 Affordable Housing Contributions Supplementary Planning Document (SPD)
- 4.5 Children's Services Facilities Provision Supplementary Planning Document (SPD)
- 4.6 Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD).
- 4.7 The Guidelines for Recycling and Refuse Storage in New Developments

Supplementary Planning Document (SPD).

- 4.8 Position Statement: Nitrogen Neutral Housing Development.
- 4.9 Nettlestone & Seaview Parish Plan 2005 – discusses a range of issues within the parish and sets out a series of recommendations.
- 4.10 Solent Recreation Mitigation Strategy (Bird Aware) sets out the mitigation for impacts on the Solent Special Protection Area (SPA) as a result of increased recreational pressure from certain types of residential development that are located within 5.6km of the designated Solent Special Protection Areas.

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

### Internal Consultees

- 5.1 The Council's Archaeological Officer has advised they have no comments to make in respect of the setting of designated heritage assets. However, they have recommended conditions to secure a programme of archaeological works to establish the archaeological potential of the site and what mitigation measures may be necessary.
- 5.2 The Council's Ecology Officer has commented that plans for biodiversity net gain through habitat retention and enhancement, as well as creation of new scrub areas, and measures to ensure protected species and habitats would be conserved, should be secured in full. They have also advised that a biodiversity mitigation and landscaping plan should be provided through reserved matters.
- 5.3 Island Roads, commenting on behalf of the Local Highway Authority, has recommended conditional approval. These comments are discussed in more detail within the highways section of the report.
- 5.4 The Council's Tree Officer for planning has advised that generally impacts to trees would be limited, but they have raised concerns with the proximity of buildings to the protected Eucalyptus Tree within the site, loss of the existing hedgerow/trees to facilitate access and visibility splays, and potential for the attenuation basin to impact roots of protected trees on the eastern boundary of the site.
- 5.5 Public Rights of Way Service has requested the development contribute towards improvement of an existing path on IWC land that leads from Puckpool Hill to Appley Park to make it suitable for multi-use to mitigate for significant increased use as a result of the proposed development. It also supports comments made by Island Roads in relation to provision of offsite footway works and the need to secure this through the planning process.

### 5.6 External Consultees

- 5.7 Hampshire Constabulary's Designing Out Crime Officer has commented on a range of issues that would need to be considered in preparation of a subsequent

reserved matters application, including:

- Clear definition of spaces
- Provision of defensible space and robust boundary treatments
- Access to rear gardens to be provided within curtilage
- Provision of natural surveillance, including of the public open space
- Provision of a minimum of 4 entry and exit points for the public open space

A condition has also been requested for a lighting scheme for the development to provide for the safety and security of future residents and visitors.

- 5.8 Historic England has advised that it does not wish to offer any comments and has suggested that the views of the Council's specialist conservation and archaeological officers are sought.
- 5.9 IW Gardens Trust has advised that there is no known documentary evidence that the site has ever been part of the historic Woodlands Vale Estate, that the site is north of the former walled kitchen garden of Woodlands Vale which has been subsequently built over, and west of Cedar Lodge which has an interesting garden but is not on the national or local list for its parks and gardens interest. It considers there to be no adverse effect on the registered park and garden from the proposed development, citing local topography, level of mature trees and shrubs on site boundaries, meaning the site is well contained and benefits from existing screening. It refers to significant visual screening afforded by the substantial tree belt between the site and registered park, which is protected by tree preservation order, and helps to reinforce the separation between the two areas. It considers that the site and setting of the registered park and garden could be further enhanced by additional evergreen parkland tree planting within the south east corner of the site.
- 5.10 Natural England has advised it has no objection in relation to designated Habitats Sites subject to appropriate mitigation being secured. It confirms that it concurs with the conclusions of the Council's appropriate assessment, dated 30 May 2022.
- 5.11 Southern Water has requested pre-commencement conditions to ensure details of surface water and foul sewerage disposal and landscaping proposals are provided prior to commencement of development. It has been confirmed that Southern Water can facilitate foul sewerage disposal and water supply to service the development. Advice has also been provided in respect of the proposal to discharge surface water to the existing public combined sewer and with respect to protection of existing sewerage infrastructure. Southern Water considers that there would be an increased risk of flooding if surface water were to be discharged to the existing sewer at the proposed discharge rates and has commented that it wishes to engage in relation to surface water drainage design at the earliest opportunity, and that it will need to be demonstrated that surface water discharge to the sewer would be no greater than the existing contributing rate.



### Parish/Town Council Comments

5.12 Nettlestone & Seaview Parish Council has objected, raising the following concerns:

- Coalescence of Ryde and Nettlestone
- Loss of valuable green space
- Overdevelopment of the area and lack of infrastructure
- Lack of proper consideration of listed buildings and impact on registered Woodlands Vale parkland
- Loss of wildlife habitat and effect on the UNESCO biosphere

5.13 Ryde Town Council has objects on the following grounds:

- No affordable housing provision
- No infrastructure to address increased traffic
- No pedestrian access to the site
- Outside of Ryde settlement boundary
- Further overdevelopment of Ryde
- Loss of green space

5.14 St Helens Parish Council fully support Nettlestone & Seaview Parish Council and Ryde Town Council and object due to:

- Lack of affordable housing
- Outside settlement boundary
- Settlement coalescence
- Overdevelopment
- Lack of services
- Lack of green space/ecological impact

It adds that no further major planning applications should be considered for the north east area of the Island until approved major housing developments have been developed and the local development plan updated.

5.15 Third Party Representations

5.16 The Badger Trust IW objects on the following grounds:

- Destroy natural wildlife habitat and countryside
- Detrimental impact to badgers and other wildlife
- Increased traffic and roadkill

5.17 The IW Bat Group objects on the grounds that proposed mitigation for bat habitat loss are inadequately defined and may be incompatible with the extensive bat habitat use in the area. A number of specific comments are made, including:

- Understated important of the site as a link space for bat foraging and roosting
- Buffer zones are of minimal width and may result in loss of commuting links, the size of these should be increased

- Further survey work should be undertaken in respect of Grey Long Eared bats
- Incorporation of bat boxes into new builds, cheap and easy, and opportunities to improve roost potential and enhance site biodiversity overlooked

5.18 CPRE IW objects, raising the following concerns:

- Greenfield site
- Brownfield sites should be prioritised
- 35% affordable housing should be provided
- Housing sizes should meet local needs
- Ecological aspects have not been fully considered, supporting concerns raised by the IW Bat Group, as well as comments from Natural England in relation to impacts on Ryde Sands SSSI and Wootton Creek SSSI. Further information requested in terms of potential impacts on grey long eared bats, the nutrient budget, and measures to ensure no net loss in biodiversity
- Disadvantages of scheme outweigh the benefits

5.19 The Island's MP has objected for the following reasons:

- Low density, high-cost housing on greenfield land
- Impose strain on existing infrastructure (surface water run-off & increased traffic)
- Housing proposed would not be affordable or help meet need for private sale homes
- Significant tree/hedgerow loss

5.20 The local (IW) councillor has also raised the following concerns:

- Settlement coalescence
- Elements on transport and infrastructure very weak
- Would not meet local needs
- Exacerbate drainage capacity issues
- Tree loss and concerns raised by Council's Tree Officer
- Important site for archaeology and concerns raised by Council's Archaeological Officer

5.21 The Ryde Society objects on the grounds of

- Urban creep, coalescence
- Infrastructure strain
- Type of housing not what is needed
- No affordable/social housing
- Site not on frequent bus routes and limited pavements and local amenities within safe walking/cycling distance
- Exacerbate detrimental effect of construction traffic on local highway

network

5.22 181 comments have been received from local/Island residents and other interested parties who have objected, raising the following concerns:

- Need for the development.
- Greenfield site outside settlement boundary.
- Overdevelopment of the site/area. Poor layout/too dense/overcrowded. Concerns with combined effect on area with other local housing developments.
- Concerns for capacity of local infrastructure to support development, only minimal contribution from development to road/footpath improvements.
- Wrong housing, in the wrong place, would not meet local needs.
- Use of dwellings as second homes.
- Size of housing and whether homes would be adaptable to meet occupiers' changing needs.
- Not a sustainable site/development.
- No affordable/social/older persons housing.
- Playing field has always been for recreational use.
- Loss/lack of green space
- Inappropriate and out of character with the area, will destroy its rural character, visual impact on landscape and skyline.
- Empty homes, brownfield sites, and capacity in new developments should be utilised first.
- Harmful effect on significance and setting of heritage assets and impacts to archaeology, including WW2 military aircraft crash site.
- Site bordered by historic kitchen garden wall – no detail of how it would be preserved.
- Adequacy of sewerage system, surface water drainage, impact on underground streams and flood risk.
- Responsibility for upkeep of ponds and landscaped areas.
- Urban sprawl and settlement coalescence between Ryde, Nettlestone and Seaview.
- Increased disturbance/noise, loss of privacy, overshadowing impacts for neighbours.
- Visual impact would be intrusive/overbearing when viewed from neighbouring properties.
- Detrimental to quality of life/health of current and future residents, air quality and the biosphere.
- Increased traffic/car use, no/limited public transport.
- No amenities, shops, schools, and services within walking distance.
- Submitted traffic report fails to consider impact of approved development sites.
- Highway safety.
- Capacity of highway network to support development.
- Site can't accommodate adequate parking and access for emergency vehicles.
- Third party land and loss of hedgerow required to accommodate

road/footway widening.

- Design and location of housing for the elderly, who decides this is suitable, and whether this would be affordable?
- Further details of affordable housing to be secured requested, including how these homes would be affordable and where they would be built.
- Response to Natural England's request for further information should be made available and full biodiversity report published.
- Biodiversity assessment flawed, one-sided and fails to consider wildlife, including impacts to bats, and other approved developments locally.
- No enhancement along eastern boundary, as existing trees/woodland here within neighbouring property (Cedar lodge).
- Loss of habitat/trees/(ancient) hedgerow, development would not result in biodiversity net gain, but a net loss.
- Principles in the Environment Bill should be considered.
- Council has a duty to protect natural environment and biodiversity.
- Pollution and disturbance to designated Ramsar/SSSI/SPA/SINC sites – Habitats Regulations Assessment required.
- Conflict with minerals safeguarding policy – no overriding need for the development.
- Site should be preserved as a public space/nature reserve.
- Public access to green space should be guaranteed.
- Role of housing in supporting economic growth and innovation not outlined.
- Harm tourism.
- Land required to protect future food security.
- Carbon footprint and emissions, climate change, and eco credentials of the development.
- Viability assessments should be publicly available.
- Inadequate/inconsistent Design and Access and Planning Statements.
- Detailed application should be required here.
- Application premature and would predetermine future applications.
- Additional time to comment on the application requested, due to limited publicity.

5.23 1 comment of support has been received from an Island resident on the basis it would:

- Make good use of land, already surrounded by housing
- Create much needed jobs and homes needed in the area
- Perfect location
- Close to Puckpool Park and beach, homes would be ideal for families
- Open ground, very little wildlife to disrupt

## **6 Evaluation**

Principle – location and delivery of new housing

6.1 Policy SP1 of the CS seeks to focus new housing development on appropriate

land within or immediately adjacent to the defined settlement boundary of the Ryde Key Regeneration Area (KRA). It adds that redevelopment of previously developed land will be prioritised where such land is available, suitable, and viable for the development proposed, and that unless a specific local need is identified, proposals outside of, or not immediately adjacent the defined settlement will not be supported. Paragraph 5.7 of the CS explains that the KRAs are wide areas within which regeneration is encouraged, as it would result in development in the most sustainable locations, generally within and immediately adjacent the settlement boundaries of these key towns.

- 6.2 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 Further to this, the Housing Delivery Test (HDT) (published 14<sup>th</sup> January 2022) shows that 58% of the housing need (when using the Government's Standard Method Calculation) has been delivered on the Isle of Wight over the three-year period to 31 March 2021. This means the Council has failed to meet the 75% delivery threshold expected by national policy and, due to the level of housing delivery, is required to operate under the NPPF's presumption in favour of sustainable development. For the Island, both of these circumstances apply, with the HDT 2021 showing that over the period 2018 to 2021 only 1019 of the required 1749 homes (58%) were delivered.
- 6.4 Policy SP1 must be considered in the context of the NPPF's presumption in favour of sustainable development, as well as the housing delivery shortfall on the Island. Paragraph 11 of the NPPF states that for decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.5 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 In addition, the requirements of policy SP2 in terms of the number of houses to be delivered in specific areas of the Island is considered to be out of date, due to the advice contained within the NPPF regarding housing delivery. This policy is therefore not currently considered to be relevant to the determination of housing proposals, meaning that the settlement boundaries set out within the Island Plan are not currently relevant in terms of the distribution of housing.
- 6.7 While policy SP1 is a strategic policy in terms of housing, it does give important locational guidance in terms of focussing housing in the most sustainable areas and settlements, the use of brownfield land and economic led regeneration. Thus, while currently no longer relevant in terms of local need, the overall approach advocated within the policy in terms of focussing development in the most sustainable locations is considered to be relevant in terms of the NPPF and its requirement to apply a presumption in favour of sustainable development.

#### *Location*

- 6.8 Although the site is outside, and about 270m east, of the defined settlement boundary, it is surrounded by existing housing and close to existing areas of open space, including the playing field opposite the site off Appley Road to the west (currently used for archery), Appley Park and Puckpool Park. The seafront and beach (about 350m away from the site as the crow flies) can also be reached via Appley Park. The site is also about 0.5 mile (8 to 12-minute walk) from the following facilities in Appley Road, Marlborough Road and Somerset Road to the west and south:
- Oakfield C of E Primary School
  - Convenience stores (Marlborough Road and Somerset Road)
  - High Park Tavern public house
  - Laundrette
  - Hairdressers
  - Local churches (St John's Church and Grace Church)

There is also a multitude of other services/facilities and potential employment opportunities within the surrounding area, particularly along Marlborough Road and Brading Road, with Tesco Extra and Westridge Leisure Centre either a 30-minute walk or short cycle/car trip away from the site.

- 6.9 As well as proximity to local shops, facilities, and amenities, the site is within walking distance of existing bus stops (Southern Vectis Route 8) on Appley Road, providing an hourly service between Ryde and Newport.
- 6.10 Given the above, it is considered that despite being located outside of the defined settlement boundary, its close proximity to the defined settlement does mean that this site is within an accessible and sustainable location within the KRA, where future residents would not be reliant on the private car to meet their day-to-day needs. The proposal would therefore be consistent with the aims of policies SP1 and DM17 of the CS in terms of locating new housing in accessible and

sustainable locations, where the need to travel by private car is reduced.

### *Housing needs*

- 6.11 With respect to meeting local housing needs, the proposal would make a positive contribution to addressing the current housing delivery shortfall, both for market and affordable housing. As this application is only for outline permission, the precise housing mix can be refined and agreed at the reserved matters stage to ensure it would provide for a balanced mix of housing reflective of identified local needs in accordance with policy DM3 of the CS. The surrounding area is characterised by a variety of single and two storey homes and the submitted illustrative masterplan demonstrates that there is scope within the site to accommodate a variety of housing types to achieve a balanced mix.
- 6.12 In terms of affordable housing, the applicant has agreed to enter into a planning obligation to secure 35% on-site affordable housing in accordance with the requirements of policy DM4. The final mix of affordable housing to be delivered at the site would be provided at the reserved matters stage, having regard to the most up-to-date available evidence on affordable housing needs locally.
- 6.13 Having regard to the above, it is considered that the proposal would comply with planning policy which seeks to locate new housing in sustainable and accessible locations, where the need to travel (particularly by car) would be reduced, and that it would positively contribute towards addressing the current housing delivery shortfall for market and affordable homes on the Island. Therefore, officers consider that the proposal can be supported, in principle, in terms of the location and delivery of new housing.

### Impact on heritage assets and their settings

- 6.14 Policies DM2 and DM11 of the CS explain that proposals which preserve or enhance a heritage asset and/or its setting will be supported. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a duty on the Local Planning Authority when exercising its planning functions in relation to development that affects the setting of listed buildings to have special regard to the desirability of preserving the building, its setting, or any features of special architectural or historic interest which it possesses.
- 6.15 When considering the impact on the significance of a designated heritage asset, the NPPF is clear that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It adds that any harm to, or loss of the significance, should require clear and convincing justification and that in terms of substantial harm to an asset, consent should be refused, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following circumstances set out in paragraph 201 of the NPPF apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term

- through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Where there would be less than substantial harm, the NPPF requires this harm to be weighed against the public benefits of the proposal.

- 6.16 The application is supported by detailed assessments of the designated and non-designated heritage assets that could be affected by the proposal. Sections 10.2 & 10.3 of the Archaeological Desk Based Assessment (DBA) includes an assessment of the designated heritage assets including the various listed buildings, Woodlands Vale Estate Registered Park and Garden and Puckpool Battery Scheduled Monument and non-designated locally listed buildings. Appendix B of the same document includes the assessment methodology.
- 6.17 The Heritage Statement (HS) which forms section 10 of the Planning Statement provides an assessment of the heritage assets situated close to the site and includes a description of the assets, their significance, including the contribution of setting to their character and appearance and an assessment of the likely effects of the proposal. The assessment concludes Woodland Vale House (grade II\* listed) and Thornton cottage (grade II listed) would be affected because of their proximity and intervisibility with the site but the other assets would not be affected by the proposal due to the separation distance and/or intervening vegetation and buildings. Officers agree with this conclusion.

#### *Woodlands Vale*

- 6.18 The HS suggests the wider landscape plays an important role providing an appropriate setting for Woodlands Vale House and wider Estate. It notes that the principal natural feature is the seascape to the north and that the house has been orientated in a north easterly direction and trees cleared to facilitate views towards the Solent. The southern, eastern, and western boundaries of the estate are heavily treed and the landscape beyond these treed boundaries plays a much lesser role in providing a setting for the estate. The Archaeological DBA suggests the majority of the house is afforded screening by vegetation, but the highest point (turret) is visible from the site. Therefore, there is intervisibility between the asset and the application site and because of this the DBA considers the proposed development to have an adverse negative effect to the setting of the house, with no material harm. Officers concur with these conclusions as, whilst the turret is an important feature of the building, it is not a feature designed to afford views of the park and sea beyond. The impressive views are focussed on the Registered Park and Garden, towards and from the House, and proposed development of the application site would not affect these. Furthermore, whilst setting is an important contributor to the significance of the house, the completeness of the estate (comprising various listed buildings and the registered park and garden) has a high degree of significance and so whilst limited views between the house and the application site are possible, its development as proposed would be unlikely to harm the ability to appreciate the house or its setting.



- 6.19 The 'assessment of effects' section within the HS refers to the Woodlands Vale Estate (rather than just Woodlands Vale House) and suggests there would not be an impact upon the estate from the proposal in light of the intervening boundary screening and that the overall effect of the proposed development on the Woodlands Vale Estate is considered to be negligible and certainly less than substantial.
- 6.20 The Isle of Wight Gardens Trust confirm that they do not believe there would be any adverse impact upon the Registered Park and Garden from the proposed development. However, they do recognise the site and setting of the Registered Park and Garden could be enhanced through some additional planting in the south east corner of the site. Both the DBA and HS submitted also suggest that the negative impact to Woodlands Vale House could be minimised if an element of further screening was provided to the south east corner of the site.
- 6.21 The illustrated masterplan submitted does indicate existing trees along the eastern site boundary being retained and new low-level planting, as well as some sporadic tree planting, along the south boundary with Woodlands Close properties. However, the south east corner of the site (being the lowest area of the site) would also accommodate the attenuation pond/basin and this could limit space for planting in this area of the site. However, as layout and landscaping have been reserved for later approval, it is considered that positioning of the housing, access roads, and attenuation pond could be refined and adjusted at reserved matters stage to ensure sufficient space was provided for within the development layout to allow for meaningful planting to further reinforce the verdant setting, buffer and screening between Woodlands Vale and the application site.
- 6.22 As well as additional planting, the masterplan indicates housing being set back from the southern and eastern site boundaries in the vicinity of the Woodlands Vale Estate, with the nearest dwelling shown to be 135m from Woodlands Vale House. This separation distance would be greater than that of existing housing within Woodlands Close, which is about 90m away. This separation, as well as appropriate scaling of housing nearest the estate (noting nearer housing in Woodlands Close is single/one and a half storeys), and additional tree planting within the south east corner, and throughout the site as illustrated on the masterplan, would afford a spacious verdant parkland setting for new housing and further mitigate impact of the development on the estate setting. This would be ensured at the reserved matters stage when scale, layout and landscaping are to be considered and approved.

#### *Thornton Cottage*

- 6.23 The HS suggests Thornton Cottage is a building of domestic scale and design with a setting which most readily relates is its own domestic curtilage. It notes the application site is immediately adjacent to the cottage but that it is not historically or visually connected with the building and that of greatest value to Thornton Cottage is the boundary vegetation that runs alongside Puckpool Hill, in front of and behind the building and that this would not be affected.

- 6.24 The Archaeological DBA suggests the cottage can be viewed from the northeast and west of the application site, displaying intervisibility between the asset and the application site. Therefore, the DBA considers the proposed development to have an adverse negative effect to the setting of the asset, with no material harm.
- 6.25 The 'assessment of effects' section within the HS refers to the application site itself not playing a significant role in the setting of the heritage asset with the cottage mostly viewed and appreciated in the context of the surrounding boundary screening, including the mature hedgerow which runs along Puckpool Hill and the mature trees that occupy the garden. It suggests the overall effect of the proposed development on Thornton Cottage is likely to be negligible and certainly less than substantial.
- 6.26 Officers concur with the majority of this assessment, but the application site does still contribute positively, albeit to a lesser degree, to the setting of this rustic cottage. Therefore, whilst the proposal is likely to have minimal impact, this would still be a negative impact arising from the presence of the buildings and the managed amenity space to the rear. This is likely to result in less than substantial harm and importantly the harm could be mitigated by thoughtful landscaping to reflect a managed rural appearance of the amenity space. Additional screening within the western part of the site as suggested within the HS and as indicated on the supplied masterplan would minimise the likely negative effect upon Thornton Cottage. This could be addressed and secured at the reserved matters stage.

#### *Public benefits*

- 6.27 Having regard to the above, the proposal would result in less than substantial harm to the significance/setting of Woodlands Vale House (grade II\*) and Thornton Cottage (grade II). This harm must be weighed against the public benefits of the proposed development, with great weight afforded to the conservation of these assets and their settings within this balancing exercise.
- 6.28 The proposed development would make use of underutilised land to provide housing that would socially benefit the community in terms of meeting the Island's identified housing delivery shortfall and local housing needs, including for affordable homes. There would also be economic benefits during construction and environmentally in terms of the provision of enhanced public open space and landscaping within the site, biodiversity net gain, and offsite highway and rights of way improvements, delivered directly and indirectly through the proposed development. Officers are mindful of the harm referred to above, have given this due consideration, and conclude that the public benefits of the scheme combined would outweigh the less than substantial harm to the significance/setting of Woodlands Vale House and Thornton Cottage.

#### *Archaeology*

- 6.29 In terms of the archaeological potential of the site, the submitted Archaeological DBA has assessed the site to have moderate to high potential for remains from the post-medieval period onwards, moderate potential for remains from the medieval period, and low potential for remains from earlier periods. It summarises

there to be a low to moderate potential for previously unrecorded archaeological remains and deposits to be present within the site and recommends a programme of archaeological works, including geophysical survey and possible further targeted, trenched archaeological evaluation across the application site, to be undertaken in accordance with a Written Scheme of Investigation (WSI) agreed in advance with the Council.

- 6.30 The Council's Archaeological Officer has advised that a trial trench evaluation is carried out at the earliest opportunity as this can determine which mitigation measures may be necessary, and inform on costs, timetable, and layout of the scheme, all of which can have implications for viability of the development. Conditions have been recommended to ensure this archaeological work would be undertaken prior to commencement of any development.
- 6.31 The use of pre-commencement conditions would be appropriate given the outline nature of the application, to ensure that the archaeological potential of the site and significance of any encountered remains/deposits would be fully evaluated, understood, and recorded, before allowing any development of the site to proceed, to inform the final design and layout of development, and to ensure, where necessary, appropriate mitigation measures would be secured. This approach would be proportionate and reasonable given the current unknown archaeological potential of the site, and that the nature, extent and significance of any below ground archaeological deposits require further evaluation at this stage.

#### Impact on the character of the area, including trees

- 6.32 The application site is located to the west of Ryde, and within an area that transitions from the Ryde settlement to a more semi-rural and rural character, with the area between the built-up environs of Ryde and Nettlestone and Seaview to the east characterised by sporadic housing, including pockets of suburban-style housing, parkland and increasingly further east, open fields of varying shapes and sizes often bounded by trees and hedgerows, with this patchwork broken by satellite housing, roads and small copses.
- 6.33 The submitted illustrative masterplan shows how proposed residential development here could be laid out to reflect the spacious parkland setting and suburban character of surrounding housing, accessed from a single point off Puckpool Hill. The main arterial routes through the site are shown to be tree lined, the tree/hedge-lined site perimeter would be maintained and enhanced, and in the case of the roadside boundary either side of the access, set back and replaced. There would also be significant areas of open space, near the site entrance, around the existing pond, adjacent the west boundary with Thornton Cottage, and within the eastern area of the site where the attenuation pond/swale feature is indicated to be located.
- 6.34 As layout and landscaping of the site are only illustrative at this stage, it is considered adjustment of this, particularly allowing for more open space within the south east corner of the site for additional tree planting/soft landscaping, would be necessary at the reserved matters stage to ensure any impacts on Woodlands Vale House and estate would be mitigated.

- 6.35 The layout of the housing on the masterplan is shown to be more compact, with smaller gardens, particularly the terrace housing. However, such housing and smaller units would help with the delivery of lower cost and affordable housing here which would add positively to the overall housing mix. Furthermore, it is considered that the housing design, layout, and landscaping could be refined at reserved matters stage to ensure the provision of smaller units and gardens would not negatively impact the spacious character and setting of the area. This could be achieved in a number of ways, including as indicated on the masterplan by using larger buildings split vertically and/or horizontally to provide multiple dwellings, and affording space, particularly tree-lined space, to the front and side of buildings exposed to the public realm, as well as locating more spacious “lodge-style” housing near the site entrance from Puckpool Hill.
- 6.36 Although scale has been reserved for later, the masterplan does demonstrate that there is scope within the site to accommodate a housing development that would reflect the scale and variety of surrounding housing, which is one, one and a half and two storeys, and that would add positively to the spacious suburban/semi-rural character of this area, with minimal impacts to the setting of adjacent listed buildings as discussed above, considering the application seeks outline permission for up to 50 dwellings.
- 6.37 Given the topography, intervening buildings, trees and woodland, it is considered that the site is fairly well contained and screened, particularly from wider views. Maintenance, reinforcement and enhancement of site perimeter vegetation, provision of open space and tree planting within the site, as well as within residential gardens, would further soften the visual impact of housing development here and reinforce the discreteness of the site and the screening currently afforded by boundary trees and hedges. Given the submission indicates that approximately a third of the site area (about 1 hectare) would be maintained and enhanced as public open space, this is considered achievable.
- 6.38 Concerns have been raised by third parties that retention and enhancement of woodland/trees along the eastern boundary indicated on the submitted masterplan would be reliant on land not in the ownership/control of the applicant. However, officers note that trees/woodland along the eastern boundary are protected by tree preservation order, and that there would be space within the eastern part of the site to add to this existing tree/woodland screening.
- 6.39 In terms of trees, the application is supported by an assessment which concludes that of the 17 individual trees, 10 groups of trees and 2 hedges identified in the tree survey, 13 individual trees, 1 group and 1 hedge would be retained in their entirety. 4 individual trees and 5 groups would be removed and sections of 4 groups and a section of hedge would be removed.
- 6.40 The trees to be removed are of lower U and C grade quality, with the C grade trees located either within the site interior or extend into it. The U grade trees are located along the south boundary and are deemed to be of limited life expectancy or situated close to the south stone boundary wall. These trees should not be a limit to development due to their current grading. A single B grade tree within the south east corner of the site (T2) is also recommended for removal to

accommodate the proposed attenuation pond/swale. Part reduction of the four tree groups (C and B grade), within the north west and north east corners of the site, along the south boundary and around the pond area, would be required to either facilitate the built development or soft landscaping works, particularly those associated with enhancement of the pond area.

- 6.41 The Council's Tree Officer has considered the submitted information and indicative layout and has raised concerns with potential impacts to the large, protected Eucalyptus (T14) within the north west corner (due to the proximity of the buildings), and also with the possibility of the attenuation pond/swale impacting tree roots of protected trees along the eastern boundary. In addition, he has raised concerns that to achieve the required access sightlines, the extent of hedge to be removed would be greater than that shown in the tree report, and this loss would need to be mitigated.
- 6.42 With regard to the north boundary hedge, the submitted plans show that to accommodate the site access and visibility splays, as well as the proposed highway widening, about 118m of this hedge would need to be removed/cut back, with this section of the site remodelled and new planting undertaken behind the required sightlines. However, as the highway widening on Puckpool Hill proposed in this application would be the same as that comprised in the approved (and commenced) Harcourt Sands development P/00573/15, the amount of roadside hedgerow loss here would be comparable to that required for the same highway works to support the approved redevelopment of the former holiday camp site, as these works require this same section of roadside hedge to be removed and replaced 2m back from its current position.
- 6.43 Whilst the roadside hedgerow loss would be similar, the visual effect of the current proposal on the Puckpool Hill street scene would differ in that the proposed replacement hedgerow for this scheme would need to be set further back (greater than 2m in places) behind the vision splays for the proposed access. However, given this section of the roadside frontage of the site is opposite a built-up frontage of existing housing, it is considered that a more spacious verdant setting at this point would not be harmful to the character of the road/area. The precise landscaping of this realigned section of the northern site boundary either side of the proposed site entrance, as well as details of new hedge/tree planting along this boundary, can be controlled at the reserved matters stage and by condition to ensure this.
- 6.44 The layout and landscaping of the development, including building positions, can be modified at the reserved matters stage to address concerns raised by the Council's Tree Officer with respect to proximity of the proposed dwellings and attenuation pond to protected trees. Final details of landscaping and new planting throughout the site, including the roadside boundary, can be secured through a later reserved matters approval to ensure tree/hedgerow loss would be mitigated and the verdant character/setting of the site and surrounding area restored and enhanced.
- 6.45 Turning to the issue raised regarding settlement coalescence, as explained above, there is existing housing within the immediate vicinity of the site to the

south, west, north, and east. The Woodlands Vale estate also provides a significant buffer to the south and east of the site. As such, it is considered that the proposal would not lead to the coalescence of the built-up areas of Ryde, Nettlestone and Seaview, with the site separated from the built-up environs of Nettlestone and Seaview by the registered park and garden and countryside to the south side of Calthorpe Road. It is also noted that the Ryde Place Plan indicates the site as being within an area of possible urban extension and does not identify this site as being of any particular importance in terms of maintaining a spatial gap between these urban areas. The Nettlestone & Seaview Parish Plan 2005 also does not identify the site as an existing open space/recreational facility within the parish.

- 6.46 The Isle of Wight Settlement Coalescence Study (April 2018) considers the importance of the gap between the settlements in this area of Ryde and the visual separation between them. The Study outlining that “Settlement to the east of Ryde is focused on three north-south orientated ridges of higher ground, separated by valleys that drain down to the sea at Spring Vale. The eastern edge of Ryde at Elmfield follows one ridge, the village of Pondwell is located on the second, dropping down to Spring Vale, and Nettlestone and Seaview occupy the third”
- 6.47 The proposed development is located at the very edge of this character area, with the line of development not extending significantly past the build form created by Woodlands Close. Furthermore, the scheme would retain the tree cover screens and therefore the rural character would be preserved.
- 6.48 Officers consider that the proposed site could be designed and laid out to minimise development in exposed locations. The site is well screened by tree cover and does not increase the sense of urbanising containment.
- 6.49 It is appreciated the present open natural green appearance of the site does add positively to the semi-rural/parkland character/setting of the area. However, with replacement and strengthening of site perimeter vegetation and a suitably spacious layout, it is considered that the proposed housing could be assimilated into the site and surrounding area in a manner that would complement the suburban/semi-rural character of surrounding housing and its spacious parkland setting, as well as being sensitive to the setting of adjacent listed buildings and the adjacent registered park and garden.
- 6.50 Although the proposal would result in tree/hedgerow loss, this is not considered to have a harmful impact on the arboreal/parkland character and setting of Puckpool Hill, the site or surrounding area. This is due to the already accepted partial loss and replacement of roadside boundary hedgerow here to support the Harcourt Sands development, that potential conflict with protected trees can be reduced through adjustments to layout and development design at the reserved matters stage, and that new tree/hedge and other planting to mitigate for any loss can be secured through a reserved matters application and planning conditions.
- 6.51 Considering all of the above, it is concluded that whilst the proposal would change the character and appearance of the site, it has been demonstrated that this site

could be developed for housing whilst ensuring that the spacious suburban/semi-rural character and parkland setting of this area, as well as that of the adjacent listed buildings, would be complemented and enhanced, as required by policies SP1 and DM2 of the CS and the NPPF.

#### Impact on ecology and biodiversity

- 6.52 The application is supported by an Ecological Appraisal (EA) and Biodiversity Net Gain Assessment (BNGA). The EA explains that all trees and woodland features/buffers and boundary hedgerow would be retained through design, save for where hedgerow would have to be removed/cut back to facilitate the proposed site access, vision splays and highway widening. Hedgerow loss would be mitigated through replacement hedgerow planting behind the required access visibility splays. As explained above, the proposed development would also require the removal of other lower quality trees within the site and to facilitate soft landscaping works envisaged for the pond area. Again, it is proposed to mitigate this loss through new planting within the site.
- 6.53 To avoid and mitigate for loss of greenspace as a result of development, as well as for potential impacts to protected species, the EA sets out a series of measures, including precautionary construction methods and proposals for habitat enhancement to improve quality, connectivity, cover, and foraging value. Specific measures include:
- installation of bat and bird boxes/tubes within the dwellings/site;
  - improving the pond wetland habitat through reduced shading, water retention and enhanced marginal planting;
  - eradication of an isolated stand of Japanese Knotweed within the site;
  - uplifting quality of grassland habitat within areas of open space;
  - new planting and allowing natural regeneration/succession of woodland, hedge, and scrub around the site perimeter.
- 6.54 The EA identifies that the site is important as part of the commuting activity for 9 species of bat, although no roost habitat would be threatened by the proposed development. However, the site layout as currently illustrated on the submitted masterplan would see housing and infrastructure intrude into areas identified as important for feeding and commuting bats, particularly those areas identified as 'county' and 'district' zones within the EA, these being the western area of the site, including around the pond, and along the northern and eastern site boundaries with Puckpool Hill, Cedar Lodge and Woodlands Vale. The EA states that it will be necessary to demonstrate at detailed design stage how through development design and landscaping, impacts to commuting and foraging activity would be avoided, mitigated, and compensated for.
- 6.55 Retention and enhancement of the site perimeters, as well as provision of higher quality open space, incorporation of bat tubes, a sensitive lighting strategy, and housing/infrastructure design to avoid disturbance to commuting/foraging activity, are measures recommended within the EA to avoid and mitigate for potential impacts to foraging/community bats and to enhance the site for these species. The EA recommends that specific measures should be detailed through a bat

conservation strategy for the site.

- 6.56 As the layout of the development, size and design of the housing, and landscaping of the site are reserved matters, it is considered that the development design and site landscaping proposals can be refined to reduce impacts to commuting/foraging bats. Furthermore, a sensitive lighting scheme, as well as incorporation of other mitigation and enhance measures can be secured by condition and/or through later approval of the reserved matters.
- 6.57 The submitted BNGA has been carried out in accordance with Natural England's Biodiversity Metric 3.0. This assessment demonstrates that through enhancement of mixed scrub (including enhancement of existing boundary features with native planting), pond habitat, and provision of 0.29ha (of the 1.19ha) of the proposed public open space as a managed meadow species-rich grassland, a biodiversity net gain of 17.98% (or 1.77 habitat units) would be achieved.
- 6.58 The Council's Ecology Officer has commented that plans for biodiversity net gain, as well as measures to ensure protected species and habitats would be conserved, should be secured. Landscaping proposals for the site would be agreed through a reserved matters application, and a biodiversity net gain plan, which would also set out measures for ongoing habitat management, as well as measures to protect species and habitats during development, can be secured by planning condition.
- 6.59 The site is also within the Solent Special Protection Area (SPA) Buffer Zone where proposals that would result in a net increase in overnight residential accommodation are expected to contribute towards the Solent Recreation Mitigation Strategy (SRMS) to mitigate for potential increased recreational pressure on the SPA as a result of the development and other residential development within the buffer zone. The applicant has agreed to enter into a planning obligation to secure this contribution in accordance with the SRMS.
- 6.60 In terms of wastewater, it is proposed to connect foul drainage to the existing public combined sewer. Southern Water has confirmed that this sewer is served by Sandown Wastewater Treatment Works and therefore would discharge into the English Channel and not the Solent. Provided a planning condition is imposed to ensure that foul drainage from the development would only be disposed of via the public sewer served by Sandown WwTW, it is concluded that the proposed development would not add to existing nutrient burdens in the Solent.
- 6.61 The Council has undertaken a Habitats Regulation Assessment (HRA). This considers potential implications of the development for Habitats (SPA/SAC and Ramsar) Sites within the Solent. This assessment screens out a likely significant effect on water quality for these sites, as wastewater from the development would not enter the Solent catchment. However, the assessment does conclude that it is necessary to secure the required SRMS contribution to ensure potential adverse impacts in terms of increased recreational pressure would be mitigated. Natural England has confirmed it agrees with the conclusions of the Council's assessment. Subject to this mitigation being secured by planning obligation, and a planning condition to ensure wastewater from the development would be connected to the public sewer, it is concluded (having regard to Natural England's



consultation response and the Council's Position Statement: Nitrate Neutral Housing Development) that the proposed development would have no adverse implications for Habitats Sites within the Solent.

- 6.62 On the basis that the development layout, design and site landscaping can be modified and controlled through a later reserved matters application to ensure impacts to protected bat species would be mitigated by design, it is considered that, subject to the recommended conditions to secure mitigation and enhancement measures set out in the submitted EA, as well as a biodiversity net gain plan for the site, that the Solent SPA mitigation would be secured by planning obligation, and a condition would be imposed to ensure wastewater would be connected to the public sewer, the proposal would protect, conserve and enhance ecology and biodiversity, and would not have adverse implications for Habitats (SPA/Ramsar and SAC) Sites within the Solent in accordance with the aims of policy DM12 of the CS, the NPPF and the requirements of section 40 of the Natural Environment and Rural Communities Act 2006 and Regulation 63 of The Conservation of Habitats and Species Regulations.

Impact on neighbouring properties

- 6.63 Thornton Cottage is approximately 39m from the western site boundary. The illustrative masterplan shows the nearest dwelling within the north east corner of the site to be about 70m away from this neighbouring dwelling. The masterplan indicates retention and enhancement of trees, woodland, and scrub along the western boundary, with enhanced public open space (including tree and meadow planting) within the interior of the western area of the site near the boundary of this property. Given the indicated separation between this neighbouring property and the proposed housing, that Thornton Cottage is on higher ground to the application site, and indicative site landscaping, which would soften and screen the presence of any housing, it is considered that the proposed housing development could be accommodated whilst affording a high level of amenity for occupiers of this neighbouring property.
- 6.64 Woodlands Vale House, Cedar Lodge, and Cedar Lodge Cottage are about 100m, 40m and 7m respectively from the southern and eastern site boundaries. Given this, that much of the eastern boundary is shown to accommodate an attenuation pond/swale, that the nearest housing to these properties is shown to be 135m (to Woodland Vale House), 55m (to Cedar Lodge) and 28.5m (to Cedar Lodge Cottage), and that existing trees/woodland and the existing stone wall along these boundaries of the site would be retained and supplemented with new planting, it is considered that the proposed development would not adversely impact on, but would maintain a high level of amenity for occupiers of these neighbouring properties.
- 6.65 To the north and south, existing residential properties off Puckpool Hill and Woodland Close are between 11m and 17m away from the site boundaries. These properties have front/rear gardens between the site and these dwellings and in the case of properties off Puckpool Hill, this highway divorces these properties from the site. Proposed housing is indicated to be at least 23m-26m away from these neighbouring properties and this separation in conjunction with retention and enhancement of site boundaries with new planting would ensure the

proposed housing would not be visually intrusive, and that an attractive spacious parkland setting, and high level of amenity, would be maintained and enhanced for occupiers of these neighbouring properties.

- 6.66 Although concerns have been raised by third parties that the proposed housing would be visually intrusive/overbearing when viewed from Woodlands Close properties, particularly given the elevated site topography in relation to these properties, officers consider these concerns could be mitigated at the reserved matters stage by ensuring adequate separation between proposed dwellings and these neighbouring properties, appropriate scaling of housing within the southern area of the site, and provision of an intervening landscaping buffer, which would also help mitigate impacts to Woodland Vale identified above.
- 6.67 With regard to Lindfield Stables to the immediate south, given this would be adjacent the indicated enhanced pond and open space and that the near housing is shown to be at least 30m away (further than existing housing in Woodlands Close), it is considered the proposal would have no adverse implications for this neighbouring property/land use.
- 6.68 Given the above, it is considered that it has been demonstrated that the proposed development could be accommodated whilst maintaining and enhancing neighbouring amenity. The final layout, scale, appearance, and landscaping of the proposed development would be controlled by the Council through a subsequent reserved matters application to ensure this would be achieved. It is therefore considered that it has been demonstrated at this outline stage, that the development could be designed to meet the aims of policy DM2 of the CS and the NPPF, which require proposals to have regard to neighbouring property constraints and to provide a high level of amenity for all existing and future occupiers of land and buildings.

#### Highway considerations

- 6.69 The proposed access would be in the form of a priority junction located approximately 21m from the junction of Puckpool Close to the north and would provide an on-site carriageway width of 5.5m, with 2m wide footways either side. Visibility splays of 2.4m x 59m would be provided for the access and this, as well as the widening of Puckpool Hill, would be facilitated by the removal of the existing roadside bank and hedgerow from Puckpool Close to the Harcourt Sands entrance, on the northern side of Puckpool Hill, with the roadside boundary of the site having to be set back and remodelled with new planting undertaken to the south of the widened carriageway and behind the access sightlines.
- 6.70 As well as the widening of the Puckpool Hill carriageway the submitted plans also make provision for the widening of the public footway on the north side of Puckpool Hill running between Puckpool Close and Harcourt Sands entrance to 1.8m, as well as the associated remodelling of the Puckpool Close junction. Island Roads has also requested that these works are extended to provide for the localised widening of the footway continuing from Puckpool Close to Appley Road, with hedgerow reduction, to increase its width to a minimum of 1.5m, and 1.8m where land and levels allow for this. Subject to these pedestrian

improvements being provided, Island Roads has confirmed that the proposed junction arrangement would be acceptable for the scale and nature of the development proposed and that the realignment and widening of Puckpool Hill and the footway would provide visibility and accessibility improvements for users of the existing private vehicle accesses in this immediate area and users of Puckpool Close.

- 6.71 The proposed access and off-site footway works would also provide for uncontrolled (tactile) pedestrian crossings and associated visibility splays from the site entrance to the north side of Puckpool Hill and across Puckpool Close. These works in conjunction with the proposed offsite improvements at Appley Road in terms of improved bus shelter provision and further public footway improvements (these being the same offsite improvements as those proposed within the approved Harcourt Sands redevelopment) would improve highway safety and pedestrian connectivity to the defined settlement to the west (including Oakfield C of E Primary School), enhance and encourage use of the local bus stops on Appley Road, as well as provide suitable pedestrian linkage from the site to the existing right of way to Appley Park that runs between the gardens of Puckpool Close properties and the archery field. A contribution of £23,520 would also be secured from the development toward the improvement of this right of way to encourage multi use and enhance this route for users, including existing and future residents, with the route providing access to Appley Park, as well as the seafront and beach.
- 6.72 As well as the abovementioned highway improvements, Island Roads has also requested that improvements to the eastern approach of the Marlborough Road/Appley Road junction outside of Irwin House are secured through this development due to identified inadequate pedestrian visibility at this existing junction. However, these requested works are already proposed and would be secured as part of the highway works associated with the West Acre Park development (Ref: 20/01061/FUL). Island Roads consider these additional highway improvement works to be justifiable on the basis that the proposal would result in additional traffic using this junction.
- 6.73 The submitted Transport Statement, which includes traffic flow modelling and assessment of junction capacity (taking account of the Harcourt Sands development), does not identify any capacity issues for this junction or the Thornton Cross junction as a result of traffic uplift generated by this development. This modelling also shows that the development would only be likely to result in an additional 4 movements along Marlborough Road in the AM peak hour and only 6 in the PM peak hour, with these figures equating to increases of 0.5% (AM) and 0.7%(PM) on 2026 base flows. Officers consider that this modelling does not show that the proposal would result in any significant increased use of the Marlborough Road/Appley Road junction during these peak times.
- 6.74 Island Roads has confirmed, after considering the submitted Transport Statement and supplementary Transport Note, that the traffic generation associated with this proposal is not considered to have a negative impact on the capacity of the highway network. Given this and the small percentage of additional trips through this junction that would be attributable to this proposed development, it is

considered that without the suggested improvement at the Marlborough Road/Appley Road junction, the development would be unlikely to have any serious or unacceptable implications for highway safety, particularly when this is balanced against the other aforementioned highway improvements this proposal would deliver.

- 6.75 Although reserved for later approval, Island Roads has advised that a suitable onsite footway and carriageway network could be accommodated to provide safe pedestrian, cycle and vehicle access, to enable fire appliance access, and to enable private and service vehicles to access/egress and circulate with ease. Furthermore, in terms of parking provision, a planning condition can be imposed to ensure that the final level of on-site parking provided for would be consistent with the Council's Parking Guidelines SPD.
- 6.76 The site is considered by officers to be located in an accessible and sustainable location. The proposed offsite highway improvements, as well as the additional footway widening suggested by Island Roads and the rights of way contribution proposed, would enhance the pedestrian connectivity of the site, promote sustainable travel options (walking and bus travel), and this would reduce reliance on car travel, particularly for local day-to-day trips by future occupiers of the proposed housing.
- 6.77 Having regard to the above, it is concluded by officers that, subject to securing the following by condition(s), the proposed development would provide safe and suitable access, would promote sustainable travel options, reduce car reliance, and it would comply with the requirements of the Council's Parking Guidelines:
- the proposed access and highway improvements works
  - the additional footway widening works requested by Island Roads for the existing section of footway from Puckpool Close to Thornton Cross
  - details of the on-site road, footway and turning area construction
  - adequate on-site car parking, and
  - a Construction Environment Management Plan

Therefore, it would not negatively impact, but would enhance the highway network in accordance with the aims of policies SP7 and DM17 of the CS and the NPPF.

#### Drainage and flood risk

- 6.78 The application site is located within Flood Zone 1 and therefore is deemed to be in an area at lower flood risk. However, as the site exceeds 1 hectare in size, the application is supported by a Flood Risk Assessment (FRA), which includes a drainage strategy for the proposed development. The FRA concludes that the existing site is at low risk of flooding, with risk of surface water flooding limited to around the existing pond.
- 6.79 To ensure the proposed development would not increase flood risk, the drainage strategy sets out the principles of how surface water would be managed post development through conveying run-off from the impermeable areas to a linear attenuation pond/swale to be located alongside the eastern boundary, with the

site currently draining naturally to the south east following site contours.

- 6.80 As the ground is clay, it would not be possible for surface water to be discharged via soakaways and there is also no watercourse near the site. Therefore, the drainage strategy proposes that surface water is discharged to the existing public combined sewer at a rate no greater than the existing greenfield run-off rate and that on-site attenuation (in the form of a linear pond/swale) would be required to achieve this, which would need to be designed to contain runoff generated by a 1 in 100-year return period plus 40% climate change rainfall event.
- 6.81 In terms of water quality, there would be risks of pollutants runoff from vehicle parking areas and roads within the site being received by downstream sewer systems. However, the Drainage Strategy (DS) explains that incorporation of appropriate SuDS (a swale) into the drainage system would provide mitigation to ensure there would be no reduction in overall water quality within the receiving system.
- 6.82 In terms of foul drainage, as mentioned above, it is proposed to direct wastewater to the public sewer which runs through the south east corner of the site. Southern Water has confirmed that it can facilitate foul sewerage disposal to service the development. The applicant/developer would need to liaise with Southern Water to ensure the drainage system design would not increase flood risk and that, where necessary, capacity would be provided within the public sewer system to accommodate flows from the development.
- 6.83 It is proposed that the drainage system for the site would be offered to Southern Water for adoption or that a residents' funded management company would be setup to ensure its ongoing management and maintenance.
- 6.84 Having regard to the above, the submitted FRA and DS, as well as the comments received from Southern Water, it is considered that an adequate surface water and foul drainage scheme for the development, as well as arrangements for its future management and maintenance, can be secured by planning condition to ensure flood risk locally would not be increased, and where possible reduced, and that water quality would be maintained in accordance with the aims of policy DM14 of the CS.

#### Minerals safeguarding

- 6.85 The site is within a designated Minerals Safeguarding Area (MSA) that extends to the south and west of the settlement of Ryde. Existing housing at Thornton Manor Drive, Thornton Close, Puckpool Close, Woodlands Close, as well as the adjacent Thornton Cottage and part of Hardcourt Sands, is also located within the MSA.
- 6.86 Policy DM20 of the CS seeks to protect the MSA from development incompatible with safeguarding the mineral and states that planning permission will not be granted for such development, unless:
- a. the applicant can demonstrate to the satisfaction of the Council that the mineral concerned is no longer of any value or potential value; or

- b. the mineral can be extracted satisfactorily prior to the incompatible development taking place; or
- c. the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
- d. there is an overriding need for the incompatible development.

6.87 In this case, given the current housing delivery shortfall on the Island, it is considered that there is an overriding need for this proposed housing development, which would contribute to meeting this identified shortfall, as well as deliver much needed on-site affordable housing. Furthermore, the proposed development would not have any greater impact on sterilisation of the mineral/on the MSA than existing surrounding housing. Therefore, exception can be applied, and the provision of housing here would override the minerals safeguarding aims of policy DM20.

#### Other Matters

6.88 The site has historically been used as a playing field and was last used as a golf course associated with the former holiday camp at Harcourt Sands. Interested parties have referred to its past use as recreational space, which would appear to have been initially as a playing field and then for various leisure activities associated with the former holiday camp (Harcourt Sands). Information submitted with the application and by third parties shows that the site has not been used as a playing field or for recreation for a significant period of time. The submitted Archaeological DBA contains mapping showing the site as a miniature golf course in 2001 and 2010. Therefore, the site would not appear to have been in use as a playing field for over 20 years. Given the last known use of the site as a golf course, it is considered that the proposal would not result in the loss of public open recreational space or a playing field.

6.89 Loss of the site as potential future agricultural land to meet future food security needs has been raised. The site was not last used for agriculture and as such the proposal would not result in loss of agricultural land.

6.90 A concern has been raised by third parties that the proposed development may impact a WW2 military aircraft crash site controlled by the Protection of Military Remains Act 1986. This act makes it an offence to tamper with, damage, move or unearth any remains without a licence from the Ministry of Defence (MOD). Furthermore, such sites may also be recognised as archaeological sites. The Council's Archaeological Officer has not raised any specific concerns in relation to this issue, but as discussed above, has recommended further archaeological evaluation of the site is undertaken prior to commencement of development. This would ensure the significance of any archaeological remains/deposits that may be discovered within the site would be assessed and, if necessary, mitigation secured. Should a licence be required from the MOD for any site operations under the 1986 Act, this would be a matter separate of the planning process.

- 6.91 Although concerns have been raised that this development, in conjunction with other residential developments in Ryde, would lead to overdevelopment of the area and that there would be inadequate infrastructure to support this cumulative level of housing development, as discussed above, the Island is not meeting expected levels of housing delivery, including the level of housing delivery planned and allowed for in the current CS. Prior to the CS 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 (to 2027) could be accommodated, including consideration of the required increases in the capacity of infrastructure to support that level of development. This was to make the key stakeholders aware of the level of development and to allow them to plan to meet the expected increase in demand for their services. This application would not result in the overall level of development planned for within the Core Strategy being exceeded and having regard to the under provision of housing, would be acceptable. In addition, the development itself is directly and indirectly contributing towards highway and rights of way improvements and would be required to ensure there is satisfactory surface and foul drainage infrastructure in discussion with Southern Water at reserved matters stage.
- 6.92 Concerns have been raised that a positive determination of this application may set a precedent for other planning applications or predetermine elements of any future local development plan. However, it is considered that this application must be determined on its own merits and in the context of the national policy presumption in favour of sustainable development apparent at the time of determination. Granting permission in this case would not prejudice the Council's ability to resist inappropriate development elsewhere locally/on the Island nor would it predetermine the content of any future development plan for the Island.
- 6.93 Third party requests have been made for the public consultation to be extended. However, the Council has carried out its statutory duty to publicise this application and additional time has been provided to comment on additional information submitted. Therefore, sufficient time has been given for interested parties to comment on the application.
- 6.94 Concerns have been expressed by third parties with regards to air quality and public health. The proposal is not considered likely to raise any serious implications for air quality/public health, given the scale of development, the past uses of the site, and that Island Roads has confirmed the proposal would not negatively impact highway capacity.

## **7 Conclusion**

- 7.1 The application site is located in an accessible and sustainable location and would contribute towards housing delivery, including the delivery of affordable housing, to meet identified housing needs. This would positively help address the current housing delivery shortfall across the Island. Although this is a greenfield site, the proposal would contribute to the Council's 5-year housing land supply, which currently cannot be evidenced.

- 7.2 The submission details have demonstrated that the site could be developed for up to 50 dwellings without compromising the character and appearance of the surrounding area, the setting of adjacent listed buildings, archaeology, flood risk, ecology or trees.
- 7.3 Measures to secure a biodiversity net gain, to protect species during development, and to ensure no adverse implications for the Solent Designated Sites can be secured by planning conditions/obligation.
- 7.4 The proposed development could be accommodated within the site without any detriment to neighbouring amenity and this could be ensured at the reserved matters stage, when the scale and appearance of the proposed dwellings, layout of the development, and landscaping of the site are to be considered for approval.
- 7.5 Island Roads has confirmed that the proposed access arrangements would be suitable to serve the development and that the development would not have a negative impact on the capacity of the highway network. This would be ensured through offsite highway and rights of way improvements along Appley Road and Puckpool Hill, including enhancement of existing pedestrian routes and bus stops, provision of uncontrolled crossing points, and widening of the Puckpool Hill carriageway between Puckpool Close and Harcourt Sands entrance. An adequate on-site car parking and road/footway layout can be secured at the reserved matters stage and/or by conditions.
- 7.6 For the above reasons, it is concluded, having regard to the Council's duties under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended), that, on balance, the proposal would comply with the provisions of the development plan, the aims and requirements of the NPPF, and the requirements of Regulation 63 of The Conservation of Habitats and Species Regulations (as amended).

## **8 Recommendation**

8.1 Conditional permission subject to a planning obligation (Section 106) securing:

- 35% on-site affordable housing
- Entering into a Section 278/38 Agreement with the Isle of Wight Council Highways Authority to bring forward the required offsite highway improvements and widening works
- Rights of Way contribution of £23,520
- SPA mitigation Contribution
- Open Space Management Plan

## **9 Statement of Proactive Working**

9.1 ARTICLE 31 - WORKING WITH THE APPLICANT

In accordance with paragraph 38 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social, and environmental



conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following way:

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

In this instance:

- the applicant was provided with pre-application advice;
- the applicant was advised of any issues and given the opportunity to address those issues during the application process;
- following receipt of revised plans and additional information, the application was considered acceptable.

## Conditions

- 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 reserved matters or, in the case of approval on different dates, the date of 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 layout, scale, appearance, and landscaping of the development (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 in accordance with the aims of policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 3 Development shall not begin until the results of a pre-commencement archaeological trial trench evaluation have been submitted to and approved in writing by the Local Planning Authority. The evaluation shall be carried out in accordance with a Written Scheme of Investigation which has been agreed in writing by the Local Planning Authority in consultation with the County Archaeology and Historic Environment Service.

**Reason:** This is a pre-commencement condition to ensure that the archaeological potential of the site would be further assessed before development takes place and, if required, an appropriate mitigation scheme can be implemented to mitigate the effect of the works associated with the

development upon any heritage assets in accordance with policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 4 Development shall not begin until:
  - a) the applicant or their agent has secured the implementation of an appropriate programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority in consultation with the County Archaeology and Historic Environment Service; or
  - b) the Local Planning Authority has agreed in writing that no further archaeological mitigation is required.

Development shall be carried out in accordance with the agreed details.

**Reason:** This is a pre-commencement condition to ensure, where considered necessary following further evaluation of the site, the effect of the works associated with the development upon any heritage assets would be mitigated and to ensure that information regarding these heritage assets would be preserved by record in accordance with policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 5 To facilitate monitoring of the on-site archaeological works, notification of the start date and appointed archaeological contractor shall be given in writing to the address below not less than 14 days before commencement of any archaeological 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 (Historic and Built Environment) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 6 No development shall take place until a scheme for the drainage and disposal of surface and foul water from the development hereby permitted, a phasing plan for the delivery of the drainage works, and details of how the on-site drainage system(s) would be maintained and managed have been submitted to and approved in writing by the Local Planning Authority. Foul drainage shall be connected to the public sewer served by the Southern Water Wastewater Treatment Works (WwTW) at Sandown. The agreed drainage works shall be carried out and completed in accordance with the approved scheme and phasing plan. Thereafter, the surface water and foul drainage systems shall be

maintained and managed in accordance the approved details.

**Reason:** To ensure adequate drainage to service the development, to protect ground and surface water from pollution, and to prevent harmful impacts on water quality in the Solent, as well as on designated SPA/Ramsar and SAC sites within the Solent in accordance with the aims of policies DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM14 (Flood Risk), and DM21 (Utility Infrastructure Requirements) of the Island Plan Core Strategy. This is a pre-commencement condition due to the stage of construction at which drainage infrastructure would be installed and also to be certain that wastewater would be connected to the public sewer before any development would begin.

- 7 No development shall take place until an Arboreal Method Statement has been submitted to and approved in writing by the Local Planning Authority detailing how the potential impact to the trees would be minimised during construction works, including details of any tree works and 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 would be adequately protected from damage to health and stability throughout the construction period in the interests of amenity and to comply with policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

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

- A map or plan showing the location of the contractors' compound
- The means of access/egress for construction traffic throughout the build process
- The loading and unloading of plant and materials throughout the build process
- How operative and construction traffic parking would be provided and managed throughout the build process
- Locations for the storage and handling of plant, materials, fuels, chemicals and wastes, as well as pollution prevention measures to be implemented
- Measures to control the emission of dust and dirt during construction
- Wheel cleaning facilities through-out the build process
- Demolition/ construction/ loading and unloading and working hours
- Measures to protect species and habitats during development
- Measures to protect existing public sewerage infrastructure during development

The agreed facilities shall be installed prior to the commencement of

development and thereafter the agreed facilities/measures shall be adhered to during the construction phase of the development.

**Reason:** In the interests of highway safety, to prevent mud and dust from getting on the highway, and to ensure existing sewerage infrastructure, protected species and habitats would be adequately protected during construction in accordance with the aims of policies SP7 (Travel), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), and DM21 (Utility Infrastructure Requirements) of the Island Plan Core Strategy. This condition is a pre-commencement condition to ensure that measures would be implemented through the construction period to avoid/minimise impacts to the highway network, existing sewerage infrastructure, protected species, and habitats.

- 9 With the exception of the works required by this condition, development shall not begin until the site access onto Puckpool Hill, including provision of the visibility splays for this access, and the carriageway and footway widening works, as detailed on the submitted drawing numbered I/RJBPUCKPOOL/01 Rev A, have been constructed based on the principles shown on that submitted drawing and in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Thereafter, nothing that may cause an obstruction to visibility shall be placed or permitted to remain at any time in the visibility splays as shown on drawing number I/RJBPUCKPOOL/01 Rev A. No other vehicular access to or egress from the site shall be used at any time.

**Reason:** To ensure the site access is constructed with due regard to highway safety and the local environment and to comply with policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 10 Development shall not begin until details of the design, surfacing, construction and drainage of the bus stops and shelters and associated footway works within Appley Road based on the principals of drawing number I/ZHAECOURT/3 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:** This is a pre-commencement condition to ensure offsite works would provide for adequate and safe access and public transport improvements to support the development in the interests of highway safety, to promote sustainable travel options, and reduce car reliance in accordance with the aims of policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 11 Development shall not begin until details of the design, surfacing and construction of the upgrading of the existing public footway on the north-western side of Puckpool Hill running between Puckpool Close and Thornton Cross 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:** This is a pre-commencement condition to ensure offsite works would provide for adequate and safe access in the interests of highway safety and to promote sustainable travel options and reduce car reliance in accordance with the aims policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 12 Development shall not begin until details of the design, surfacing, drainage and construction of any new roads, service vehicle turning heads, footways, accesses, and car parking areas, have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall provide for a minimum onsite principal carriageway width of 5.5m and associated minimum 2.0m wide pedestrian routes. Development shall be carried out in accordance with the approved details.

**Reason:** This is a pre-commencement condition to ensure adequate and safe access and adequate on-site parking provision would be provided in accordance with the aims of policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 13 No dwelling shall be constructed above foundation level until details of the materials to be used in the construction of the external surfaces of that dwelling 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.

- 14 Construction of the dwellings shall not begin until a Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include:

- A biodiversity net gain plan for the site
- A bat conservation strategy
- An invasive species management plan (Japanese Knotweed)
- Finished levels
- Details of trees and planting to be protected and retained
- Details of soft and hard landscaping, including hard surfacing materials, boundary treatments, and new planting (noting species, size, number/density of plants/trees)
- Details of bat and bird tubes/boxes to be installed and where these would be installed
- Details of implementation, including a timetable, for the works contained with the plan
- Details of ongoing maintenance and management to ensure a biodiversity net gain would be achieved

The submitted plan shall have regard to the recommendations contained within

the submitted Ecological Appraisal (Arc, September 2020), as well as the submitted Biodiversity Net Gain Assessment (Arc, 29 March 2022) and Illustrative Master Plan (P01-01, 26/01/2022) showing biodiversity enhancements.

Development shall be carried out in accordance with the approved plan/details, and the works comprised in the approved plan shall be carried out, completed, and thereafter retained and maintained in accordance with the approved plan and timetable.

**Reason:** To ensure impacts to protected species, habitats, trees and hedgerows, as well as the setting of adjacent heritage assets, would be avoided and/or mitigated, that existing public sewerage infrastructure would be protected, that opportunities would be taken to enhance the appearance of the site, that a high level of amenity would be provided for future occupiers of the development, as well as for neighbouring property occupiers, and that enhanced public open space and a biodiversity net gain would be delivered in accordance with the aims of policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM21 (Utility Infrastructure Requirements) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 15 No dwelling shall be occupied until the vehicular and pedestrian access to it from the public highway, its parking area(s), and service vehicle turning area(s), as well as the offsite highway, footway and bus stop works have been constructed, drained, and surfaced in accordance with the details approved in accordance with conditions 9, 10, 11, and 12.

**Reason:** To ensure adequate and safe access would be provided in accordance with the aims of policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 16 No dwelling shall be occupied until waste and cycle storage/parking facilities have been provided within its curtilage in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall have regard to the requirements of the Council's Guidelines for Parking Provision as Part of New Development and Guidelines for Recycling and Refuse Storage in New Development Supplementary Planning Documents.

**Reason:** To ensure adequate provision would be made for waste and cycle storage/parking in accordance with the aims of policies SP8 (Waste) and DM17 (Sustainable Travel) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 17 No dwelling shall be occupied, and no external lighting shall be installed within the site, until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the position, orientation, size, design, external appearance, and method of operation of any lighting units, light temperature, details of any measures to reduce light spillage/pollution and to avoid impacts to wildlife and habitats, and a timetable for the installation of the lighting. Development shall be carried out, and any external lighting installed and thereafter maintained, in accordance with the approved scheme and timetable.

**Reason:** In the interests of the amenities of the area, to promote a safe and secure environment, and to protect wildlife in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 18 No dwelling shall be occupied until the existing access to the site from Puckpool Hill has been closed in accordance with the landscaping details approved in accordance with conditions 1 and 14.

**Reason:** In the interests of highway safety and the visual amenity and character of the area and to comply with the aims of policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 19 Any tree or plant comprised in the details of landscaping approved in accordance with conditions 1 and 14, which within 5 years of completion of the development die, is removed, or becomes damaged or diseased, shall be replaced within the next planting season with a tree/plant of the same species/size and in the same location.

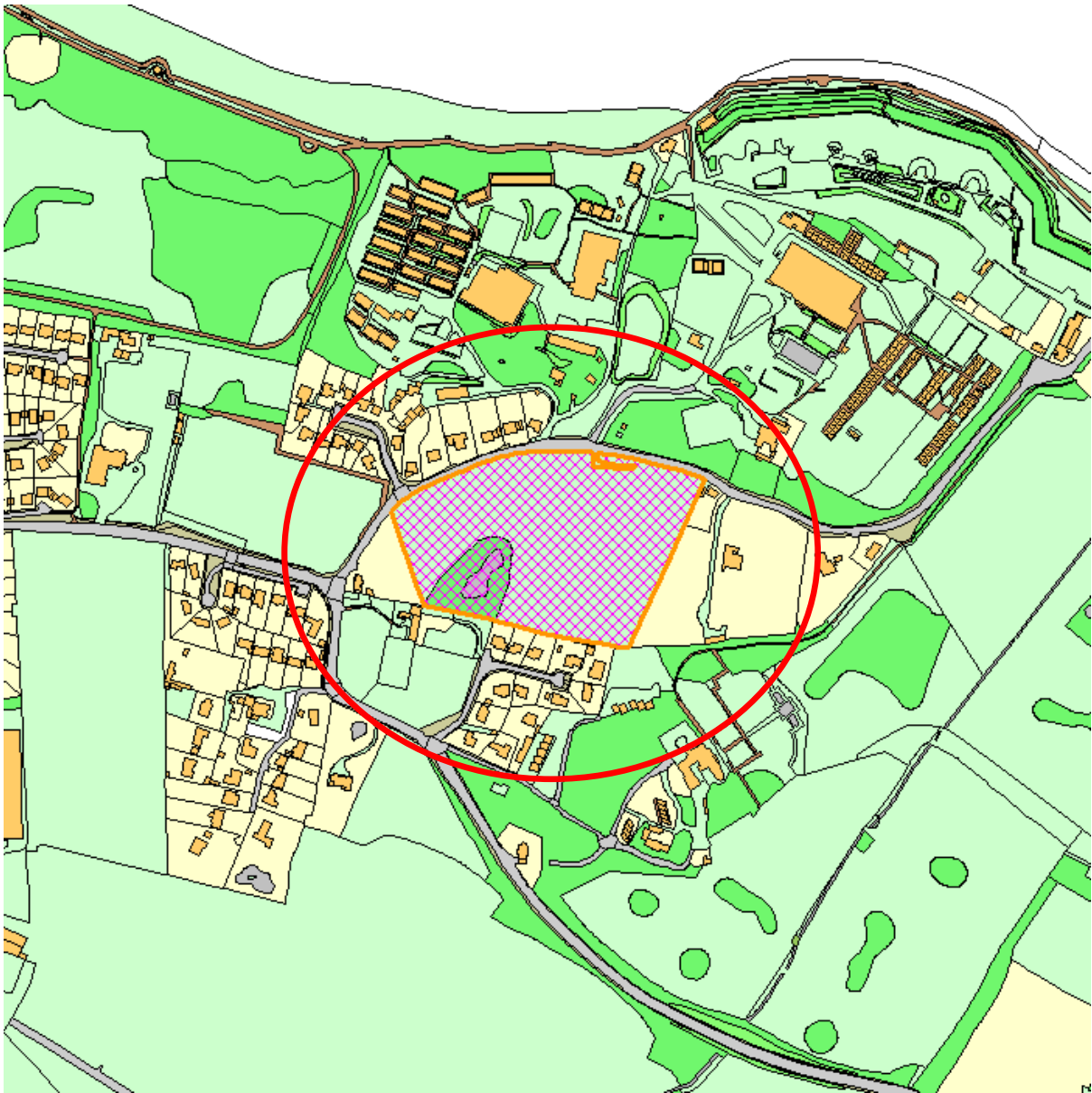
**Reason:** In the interests of the amenities of the site and surrounding area, to mitigate for impacts to the setting of adjacent heritage assets, and to ensure a biodiversity net gain in accordance with the aims of policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification), no access shall be formed within the site onto the adjacent highway (currently known as Puckpool Hill) and no access adjacent this highway shall be altered (except that which has been expressly authorised by this permission).

**Reason:** In the interests of highway safety and the visual amenity and character of the area and to comply with the aims of policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) and the National Planning Policy Framework.

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**02 Reference Number:** 22/00293/FUL

**Description of application:** Change of use from commercial (former bank) to a dwelling

**Site Address:** 14 High Street, Sandown, Isle of Wight, PO36 8DA

**Applicant:** Mr & Mrs Conkleton

**This application is recommended for:** Refusal

### **REASON FOR COMMITTEE CONSIDERATION**

The application is considered to raise marginal and difficult policy issues and therefore in accordance with the Council's Constitution has been referred to the Planning Committee for consideration.

### **MAIN CONSIDERATIONS**

- Impact on the vitality and viability of the Town Centre
- Impact on the character and appearance of the designated Conservation Area
- Impact on neighbouring residential properties and the resultant residential amenity
- Impact on highways
- Impacts on Solent Marine Sites
- Financial Contributions

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

- 1.1 The application site is located on the south side of Sandown High Street and comprises a mid-terraced, traditional Victorian building that was previously occupied by Lloyds Bank. This part of the High Street comprises buildings within commercial use at ground floor (retail, restaurants etc) and some with residential use above. The application site is situated in a designated Conservation Area and Town Centre Boundary.
- 1.2 The ground floor has a large window of three panes, mostly white painted frame with a central horizontal bar on the central glazed panel. There are decorative curved fan lights above the window with black coloured frames. There are pilasters that border the window and one on the other side of the entrance door. The remaining wall is rendered white.
- 1.3 The upper floors have red brick walls with pilasters going up the sides. The first floor has a large bay window, and the second floor has a standard window, both windows having vertical and horizontal bars.

## 2 **Details of Application**

- 2.1 Consent is sought for the change of use of the building from a former bank (use class E) to a residential dwelling (use class C3).
- 2.2 The floor plans submitted show changes to the internal layout of the building to provide a four bedroom dwelling, with two roof terraces to the rear. No external changes are proposed but some works may be needed which would be confined to repairs and renewals.

## 3 **Relevant History**

- 3.1 21/02169/3OPA | Prior approval for change of use from commercial to residential was refused in December 2021 for the following reason:

The proposed development would fail to comply with the conditions contained within paragraphs MA.2(2)(d) and M.2(2)(e) of Schedule 2 Part 3 Class MA of the General Permitted Development Order 2015 by virtue of substantial harm to the Conservation Area due to the loss of the commercial unit and domestication of the site and unacceptable noise disturbance generated by the neighbouring commercial units.

## 4 **Development Plan Policy**

### National Planning Policy

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

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

### 4.2 Local Planning Policy

- 4.3 SP2 - Housing  
SP5 - Environment  
SP7 - Travel  
DM2 - Design Quality for New Development  
DM4 – Affordable Housing  
DM9 – Town Centres  
DM11 - Historic and Built Environment  
DM17 - Sustainable Travel

- 4.4 Affordable Housing Contributions Supplementary Planning Document (SPD)
- 4.5 The Bird Aware Strategy sets out the mitigation for impacts on the Solent Special Protection Area as a result of increased recreational pressure from certain types of residential development that are located within 5.6km of the Solent Special Protection Area
- 4.6 LPAs Position Statement on Nitrogen neutral housing development
- 4.7 Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD)
- 4.8 Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document (SPD)

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

### Internal Consultees

- 5.1 The Council's Environmental Health Officer has not raised any formal objections to the proposal on grounds of contamination or noise/odour impacts.

### External Consultees

- 5.2 The Highways Engineer on behalf of Island Roads has recommended approval.
- 5.3 Natural England have made the following comments
  - Requested further information to determine impacts on designated sites with regard to nitrates
  - No comments regarding recreational disturbance subject to appropriate mitigation being secured for the Solent Recreational Mitigation Partnership.

### Third Party Representations

- 5.5 Councillor Ian Ward, the local member, supports the application for the following reasons:
  - It is Government policy to encourage empty retail buildings within high streets to be adapted for residential use to stop the steady decline of high streets.
  - It does not have a conventional shop front so there will not impact upon the street scene.

## 6 **Evaluation**

### Impact on the vitality and viability of the Town Centre

- 6.1 The Island Plan Core Strategy identifies the site as being located within the Town Centre Boundary, but outside of the Primary Retail Frontage for Sandown. Policy

DM9 seeks to preserve the retail function of Town Centres and Primary Retail Frontages and states that the Council will support proposals that contribute to the diversity, choice, vitality and viability of town centres. It states that development proposals will be expected to ensure proposals within the Town Centre Boundary for changes of use of ground floor premises to other non-retail uses will not be permitted unless it can be demonstrated that either individually or cumulatively, the development would have no significant adverse impacts on the retail function, design, character, vitality and viability of the town centre.

- 6.2 The area surrounding the application site comprises a wide variety of commercial uses including retail, hot food takeaways, cafes and hairdressers. The building itself is located within a key commercial area, within the middle of a row of properties, which all contain active frontages that are in non-residential use.
- 6.3 The loss of the ground floor of the application property to residential use would see a non-commercial use within the centre of a row of commercial properties, stopping the free flow of pedestrians, having a potential impact on the viability of units further along the High Street while also negatively impacting on the character and appearance of the surrounding Conservation Area, by introducing a use that would appear incongruous and denude the vitality of the street scene. This would be further exacerbated by the need for blinds or obscure glazing to provide privacy to the 'family room', which would have a window facing directly onto the street.
- 6.4 Whilst officers acknowledge that the proposed change of use would bring a vacant building within the Town Centre back into operation, it is considered that the benefit of approving the use of the ground floor of the building for residential purposes would not outweigh the harm that would be caused to the vitality and viability of the Town Centre as a result of the loss of commercial floor space in what is considered to be a key commercial area. For these reasons it is considered that the proposed development would be an undesirable change of use that would result in an adverse impact to the viability and vitality of the town centre and therefore would fail to comply with policy DM9 of the Island Plan Core Strategy.

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

- 6.5 Policies DM2 and DM11 of the Island Plan Core Strategy state that development should be supported where it would protect, conserve and enhance the special character of the Island's historic and built environment. As detailed above, permission is sought for a change of use of the whole building from a former bank to a residential dwelling. The surrounding area comprises buildings with commercial use at ground floor (retail, restaurants etc) and some with residential use above, which officers consider to be an important characteristic of the Conservation Area.
- 6.6 There are no external changes proposed to the building that would alter its appearance. Despite this, officers have concerns that, in order to ensure that there would be adequate privacy for the resultant occupiers, certainly in respect of the ground floor windows, there would be a need to install curtains, blinds or

similar, despite the building not being a conventional shop front. It is considered that this would have an impact on the visual appearance of the building when viewed from the street, which would fail to preserve or enhance the appearance of the Conservation Area.

- 6.7 It is acknowledged that the current vacant unit does not preserve the character of the Conservation Area due to it being empty, but the complete loss of the commercial use of the ground floor, within this part of the High Street would have a more permanent detrimental impact. The Conservation Area Appraisal for the commercial (resort) character area summary states that “The potential for restoration to revive the former glory from under a temporary coat of neglect is important to the significance of the area and its heritage value.” Officers consider that the permanent loss of the active commercial frontage would impact on this heritage value of this commercial character area. The proposal would not be in keeping with the prevailing pattern of development at ground floor level and would have a detrimental impact on the overarching retail/commercial character and appearance of the area contrary to policies DM2 and DM11 of the Core Strategy.

Impact on neighbouring residential properties and the resultant residential amenity

- 6.8 As detailed above, the application site previously operated as a bank. The proposed development seeks to change the use of the entire building to a residential dwelling. The application site is bordered by commercial units at ground floor (takeaway restaurants), with the upper floors occupied by residential flats or used for storage purposes.
- 6.9 When considering changes of use in commercial areas due consideration must be given to the potential impact on the ability of neighbouring business to meet their commercial needs, should a conflict of use occur. In this instance it is noted that the existing commercial uses co-exist with residential at first floor and therefore it is unlikely there would be a risk of complaints significant harm from the inclusion of further residential use.
- 6.10 The Council’s Environmental Health Officer has highlighted that the noise/odour produced by the neighbouring commercial uses could result in disamenity to the future occupiers of the proposed residential property. However, due consideration has been given to the commercial context and mixed use of the surrounding area and as a result, the Environmental Health Officer has advised that any disamenity would not likely amount to a significant adverse impact. Furthermore, it is likely that the future occupiers of the proposed residential property would be aware of the nature and limitations of the dwelling before committing themselves to it. However, should the degree of odours or noise generated by the neighbouring commercial uses be found to cause unreasonable disturbance, Environmental Health would be able use its powers under the Environmental Protection Act to resolve any issues.
- 6.11 The proposed development includes two roof terraces, to provide external amenity areas for the occupiers. These would be positioned on the large flat roof areas at the rear of the building. One of these is shown to be existing, while the

other would be new. The existing however is not used in conjunction with residential activities. Officers have concerns that these spaces are shown to be very large, which could result in significant disturbance to neighbouring residential uses as well as resulting in overlooking and the perception of overlooking, from having these large external spaces in these elevated positions. As a result, officers consider that there would be an unacceptable impact on the amenities of existing neighbouring properties.

- 6.12 For the above reasons it is considered that the proposal would have a harmful impact on the amenity of neighbouring residential uses. As such it is considered that the proposal would be contrary to policy DM2 of the Island Plan Core Strategy to this regard.

#### Impact on highways

- 6.13 The application would provide no parking for the resultant dwelling. This site falls within Zone 1 as defined within the Guidelines for Parking Provision as Part of New Developments SPD whereby there is no obligation to provide onsite parking due to the sustainability of the site in respect to its proximity to local bus routes, public car parks and on-street parking facilities.
- 6.14 Having regard to the above, Island Roads have confirmed that the proposal would be acceptable from a highways perspective and therefore would comply with policies SP7, DM2 and DM17 of the Island Plan Core Strategy.

#### Impacts on Solent Marine Sites

- 6.15 As the development would result in a net increase in housing there is the potential that it would add to existing problems within the Solent as a result of nitrate enrichment, which is currently having detrimental impacts on protected habitats and bird species. Protected species of birds use mudflats within the Solent for feeding. However, research carried out by Natural England has shown that nutrients discharged by sewage treatment works into the Solent causes eutrophication of the SPA and this compromises the ecological value of the designated site. The Council's Position Statement and Natural England's published guidance Advice on Achieving Nutrient Neutrality for New Development in the Solent Region provide guidance for this issue and outlines potential methods of mitigation.
- 6.16 To ensure housing development would not add to existing nutrient burdens in the Solent and adversely impact on the designated SAC and SPA / Ramsar sites within it, the Position Statement explains that it must be demonstrated that either the development is nitrate neutral or that its wastewater would be treated at Southern Water's Wastewater Treatment Works (WwTWs) at Brighstone, Sandown, Shorwell or St Lawrence, all of which discharge to the English Channel and not the Solent, thus avoiding harm to protected Solent Marine sites. Southern Water have confirmed that the foul sewage for the existing property is sent to and managed by the water treatment in Sandown and therefore into the Channel and not the Solent. As such is it considered that the proposal would not result in harm to the Solent Marine sites through an increase in nitrate enrichment.



6.17 Natural England have advised that the proposal could result in an increase of recreational disturbance to coastal Solent Protection Areas (SPA) and Ramsar sites whereby some form of financial contribution may be required to mitigate against the impacts from recreational disturbance. The Bird Aware Solent Strategy has updated the mitigation for impacts on the SPA as a result of increased recreational pressure from certain types of residential development that are located within 5.6km of the designated SPAs. The application site is located with 5.6km of the designated SPA and as the proposal would result in a net increase in residential development, a financial contribution would be required to mitigate against the impacts from recreational disturbance. An agreement has been sent to the applicant but has not been returned signed, to confirm that they would pay the required mitigation. As the application is recommended for refusal and the agreement has not been completed this forms a further reason for refusal.

Affordable Housing

6.18 Policy DM4 and the Affordable Housing Contributions Supplementary Planning Document requires that developments that result in a net increase in residential development contribute to affordable housing. In instances where a contribution cannot be secured due to viability the SPD outlines that an open book assessment would need to be submitted. In this instance the applicant has outlined that they cannot make the required contribution but have not provided an assessment.

6.19 The figure required by the SPD was set following a detailed consultation process, with a working party from the Chamber of Commerce to ensure that any contribution would not impact on the viability of a scheme and would be payable on occupation, opposed to commencement. The figure is calculated based on a formular,

Property Value	-	Threshold	=	Remaining value
(a)	-	<b>(b) £100,000</b>	=	(c)
Remaining value	x	Tariff	=	Affordable Housing Contribution Sum
(c)	x	<b>3%</b>	=	(d)

If the property is being sold the value would be based on a solicitor’s letter based on an arm’s length transaction. In instances where the property is not being sold the value is based on a RICS Surveyor in accordance with ‘RICS Red Book method.

6.20 In the absence of a commitment to provide this contribution (by way of a Unilateral Undertaking) the proposed development would be contrary to policy DM4 and the Affordable Housing SPD.

**7 Conclusion**

7.1 Having taken all comments received in relation to the application into account and having had regard to all relevant material considerations, it is considered that the proposed development would have a detrimental impact on the viability and vitality of the town centre while failing to preserve and enhance the conservation

area and the proposed large areas of roof terrace would result in an unacceptable impact on neighbouring residential properties, contrary to policies DM2 (Design Quality for New Development), DM9 (Town Centres) and DM11 (Historic and Built Environment) of the Core Strategy. The development would also fail to contribute required mitigation to the Solent Special Protection Area and provide for policy compliant Affordable Housing.

8 **Recommendation**

8.1 Refusal

9 **Statement of Proactive Working**

9.1 ARTICLE 31 - WORKING WITH THE APPLICANT

In accordance with paragraphs 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 application was not considered to be a sustainable form of development and therefore, no further discussions were undertaken.

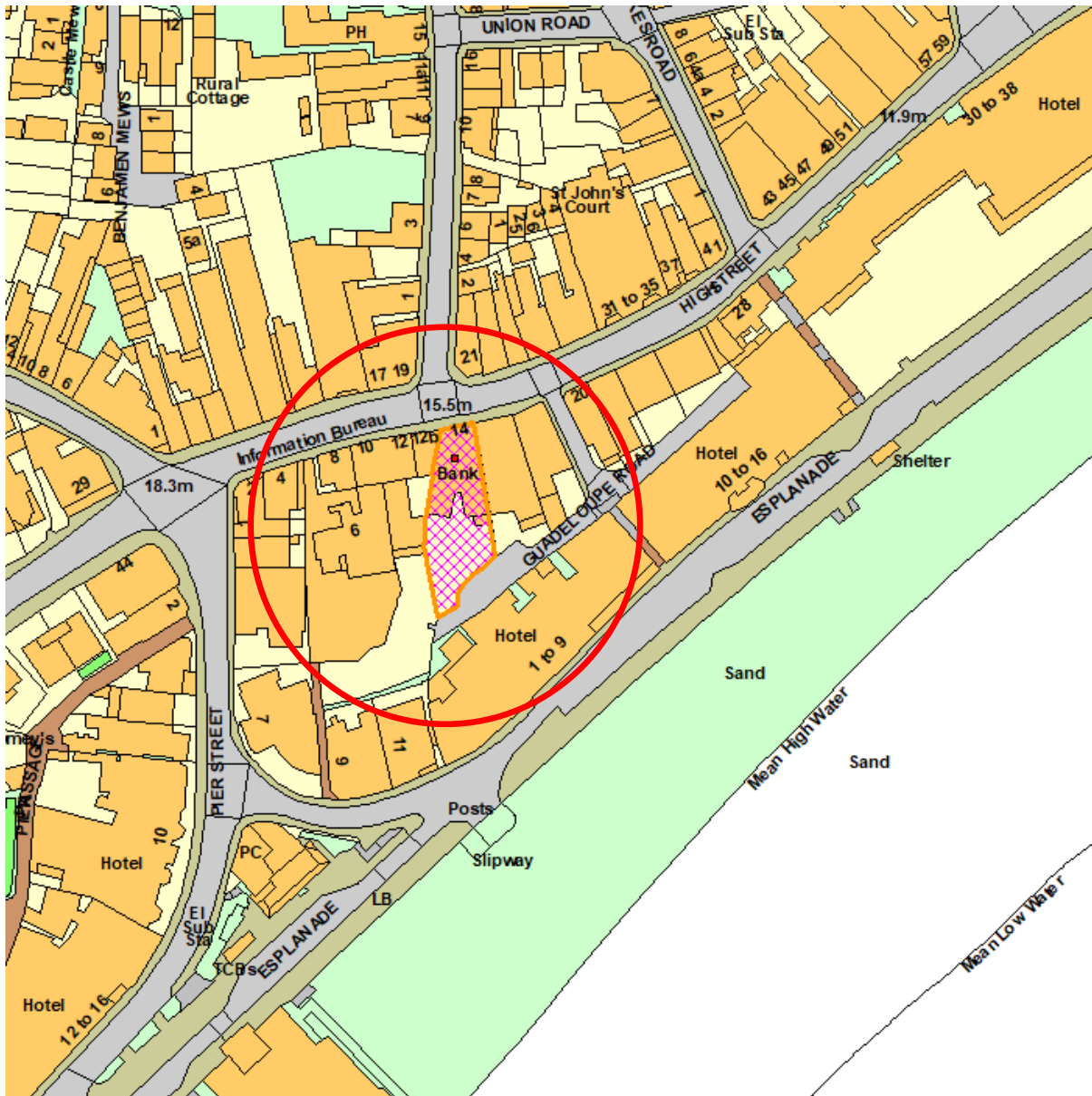
**Reasons for refusal**

1. The proposed change of use of the ground floor of the building from commercial to residential would cause adverse harm to the vitality and viability of the Town Centre as a result of the loss of commercial floor space contrary to policy DM9 (Town Centres) of the Island Plan Core Strategy.
2. The proposed development would result in the residential use of an existing commercial unit that is located within a terrace of commercial units and an area of Sandown that is characterised by commercial uses that significantly contribute to the vibrant and active character of the surrounding conservation area. The residential use would appear incongruous in relation to the terrace that it is situated within and the character of the wider High Street and conservation area, compromising their character and appearance and therefore failing to preserve or enhance and would therefore be contrary to policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.
3. The proposed large roof terraces would result in unacceptable levels of disturbance, overlooking and the perception of overlooking on the amenities of

neighbouring properties and would therefore be contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

4. The application site is located within the Solent Special Protection Area (SPA) buffer zone and the proposal has the potential to result in increased recreational disturbances to the interest features of the Solent SPA alone and in combination with other development projects. To mitigate for these potential impacts to the Solent SPA, the applicant is required to enter into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a contribution from the development towards the Solent Recreation Mitigation Strategy. In the absence of such an obligation or any other proposed measures to mitigate for these potential impacts, it is considered that the proposal would be contrary to the aims of Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.
5. A contribution towards affordable housing provision is required from this development proposal in accordance with the requirements of Policy DM4 (Affordable Housing) of the Island Plan Core Strategy and the Council's adopted Affordable Housing Contributions Supplementary Planning Document. In the absence of such an agreement to provide for affordable housing contribution under Section 106 of the Town and Country Planning Act 1990 (as amended), it is considered that the proposal would be contrary to the aims of Policy DM4 (Locally Affordable Housing) of the Island Plan Core Strategy and the Council's SPD.

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