



Minutes

Name of meeting	PLANNING COMMITTEE
Date and Time	TUESDAY 25 APRIL 2023 COMMENCING AT 4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Clrs J Medland (Chairman), D Adams, D Andre, P Brading, G Brodie, C Critchison, C Jarman, M Oliver, M Price, C Quirk, P Spink, N Stuart and Cox
Co-opted	E Cox (IWALC)
Also Present	Oliver Boulter, Russell Chick, Justin Thorne, Neil Troughton and Sarah Wilkinson
Also Present (Virtual)	Ben Gard

36. Apologies and Changes in Membership (if any)

It was noted that Councillor W Drew had been substituted by Councillor P Brading.

37. Minutes

37a 21 March 2023

RESOLVED:

THAT the minutes of the meeting held on 21 March 2023 be approved.

37b 12 April 2023

RESOLVED:

THAT the minutes of the meeting held on 12 April 2023 be approved.

38. Declarations of Interest

Councillor J Medland declared an interest in minute number 41 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he had contributed to the crowd funding for the Judicial review regarding this application, he would leave the room for the duration of the application.

Councillor D Adams declared an interest in minute number 41 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he had contributed to the crowd funding for the Judicial review regarding this application, he had taken advice and his decision was to remain in the room.

Councillor P Spink declared an interest in minute number 41 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he had also contributed to the crowd funding for the judicial review regarding the application, he had carefully considered his position and believed that he was not pre-determined on the outcome of the application.

Councillor C Quirk declared an interest in minute number 41 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he had previously taken part in the application and had an open mind.

39. Election of Chairman

It was noted that following declarations on interest the Chairman would not be in the room for the consideration of the planning application, the Vice Chairman was also not present, the Chairman asked for nominations for a Chairman for that item of business.

Cllrs C Quirk and N Stuart were nominated and duly seconded

A vote was taken, the result of which was:

RESOLVED:

THAT Councillor N Stuart be the Chairman for consideration of the planning application.

40. Public Question Time - 15 Minutes Maximum

There were no public questions submitted.

The Chairman left the room.

41. Report of the Strategic Manager for Planning and Infrastructure

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:

20/01061/FUL

Details:

Demolition of agricultural buildings and the garage to No 125 Marlborough Road; Proposed development consisting of 473 new dwellings (single and two storey dwellings (inclusive of 35% affordable housing) and inclusive of the conversion of the Coach House into pair of semi-detached dwellings; (leading to a net gain of 472 dwellings), single storey café and two storey doctors surgery and B1 office space with associated site infrastructure (inclusive of roads, parking, photovoltaic pergolas, garages, bin and bikes stores, below ground foul waste pump, electric substations, surface water detention basins and swales, landscape and ecological mitigations and net biodiversity enhancements); Proposed vehicular accesses off Bullen Road and Appley Road; Proposed public open spaces, Suitable Alternative Natural Greenspace and Allotments; Proposed three public rights of way; Proposed access, parking and turning for No 125 Marlborough Road and associated highways improvements (Revised plans, revised drainage strategy and flood risk, additional highway technical note and updated appendix S to highway chapter of environmental statement)(readvertised application)

Land South of Appley Road North of Bullen Road and East of Hope Road (West Acre Park), Ryde, Isle of Wight.

Site Visits:

The site visit was carried out on Friday, 21 April 2023.

Public Participants:

Mr M Gaskin – on behalf of Objectors

Mr S Cooke – on behalf of Ryde Town Council

Mr I Delaney - Applicant

Additional Representations:

An additional letter of objection had been received by the Local Planning Authority, following the publication of the report, which were summarised in the update paper.

Comment:

Councillor M Lilley spoke as Local Member for this item.

The Chairman outlined the process he would follow taking the issue regarding the curlew's first, however he would not restrict discussion on the whole application, a vote was taken and the result of which was:

RESOLVED:

THAT the committee agreed with the Chairman's process.

Questions were raised regarding the length of time it would take for the mitigation to be suitable habitat for the curlews and would the development be delayed to allow time for this to be completed, Planning Officers advised that it would take time to build up the area, the mitigation land would be available prior to IOW46 being lost, the area would be monitored for up to ten years, the land could be adapted if required.

The Committee asked when the objection from Natural England was submitted, they were told that the Local Planning Authority had received notification on 24 June 2022, the site was not a designated site and the map used had not been created until 2020. It was considered unreasonable to expect the developer to know of the designation. Conversations with Natural England and the developer commenced to mitigate the impact once it had been brought to their attention. It was noted that comments were received and considered up to the date when the decision was issued.

Prior to the three-hour point in the meeting, a proposal to extend the meeting until 8pm (to allow sufficient time for the remaining agenda items to be considered) under Part 4B(6) (Duration of meetings) of the Council's Constitution.

RESOLVED: THAT the meeting be extended up to one hour.

A proposal to reject the proposed development on grounds that the mitigation measures were unsatisfactory to demonstrate there would not be any harm to the Curlew's and no was consideration was given to alternatives to the loss of the habitat.

A named vote was taken, the result of which was:

For (5)

Cllrs D Adams, C Critchison, C Jarman, P Spink, N Stuart

Against (6)

Cllrs D Andre, P Brading, G Brodie, M Oliver, M Price, C Quirk

A proposal to agree with the officer's recommendation subject to the inclusion of 71% affordable housing for rent and for more specific wording to be included within the legal agreement for the mitigation land, which was duly seconded.

A named vote was requested the result of which was:

For (6)

Cllrs D Andre, P Brading, G Brodie, M Oliver, M Price, C Quirk

Against (5)

Cllrs D Adams, C Critchison, C Jarman, P Spink, N Stuart

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 the additional 71% of 35% affordable housing being affordable rent and the curlew habitat being provided prior to the development past the area currently shown as phase A on the relevant drawing number

Councillor J Medland returned to the room, Cllr Medland took the Chair for the remaining item on the agenda.

42. Members' Question Time

Councillor M Price asked if the Chairman could provide information on the voting record of the Planning committee and bring it forward to a future committee meeting, as he believed that there were members on the Planning committee having to direct the committee in the right direction and that this was unfair. Councillor Brodie asked that the Chairman speak with group leaders once the information was provided to him and report back to the Committee. The Chairman advised that he would take advice regarding this matter.

CHAIRMAN

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UPDATE FOLLOWING THE PUBLICATION OF A REPORT TO THE PLANNING COMMITTEE – TUESDAY, 25 April 2023

1. 20/01061/FUL Demolition of agricultural buildings and the garage to No 125 Marlborough Road; Proposed development consisting of 473 new dwellings (single and two storey dwellings (inclusive of 35% affordable housing) and inclusive of the conversion of the Coach House into pair of semi-detached dwellings; (leading to a net gain of 472 dwellings), single storey café and two storey doctors surgery and B1 office space with associated site infrastructure (inclusive of roads, parking, photovoltaic pergolas, garages, bin and bikes stores, below ground foul waste pump, electric substations, surface water detention basins and swales, landscape and ecological mitigations and net biodiversity enhancements); Proposed vehicular accesses off Bullen Road and Appley Road; Proposed public open spaces, Suitable Alternative Natural Greenspace and Allotments; Proposed three public rights of way; Proposed access, parking and turning for No 125 Marlborough Road and associated highways improvements at Land south of Appley Road, north of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight

Nature of update

A further letter of representation has been received since the report was published objecting to the application. The comments contained in which can be summarised as follows:

- Protect Westridge Farm from further development and reinstate the dairy farm or make it a community education farm or protect the area as an AONB.
- There should be a joint venture by forming a coalition between Captiva Homes and the developers for Pennyfeathers to produce an outstanding development.
- Concentrate development in Sandown to provide affordable housing.
- There is no housing shortage.
- Impact of traffic.

Officer conclusion

Officers consider that these matters have been covered by the already published reports, as much as they are considered to be material to the decision.

No change to recommendation

Nature of update

Officers wish to provide clarification on a sentence included within Appendix D. This states paragraph 1.2 (page 131) that “During this time Natural England contracted the LPA to advise that part of the site lies upon a site designated as functionally linked land as part of the Solent Waders Brent Geese Strategy (site IOW 46).” Although this is an accurate representation of the comments received the ‘Solent Waders and Brent Goose Strategy Guidance on Mitigation and Off-setting Requirements’ itself states the following:

“The Solent Waders and Brent Goose Strategy (SWBGS) aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. The preferred approach is for development to be located outside the network of sites. However, this document outlines the mitigation and off-setting requirements to inform assessments of plans and projects made under the Habitats Regulations and to protect the network should sites come forward for development....

The level of mitigation and off-setting required is dependent on the importance of the site within the ecological network and how these non-designated sites support the wider designated Solent SPA network.”

Officer conclusion

As a matter of clarification officers considered it would be helpful to clarify that the existing habitat land is considered to be a non-designated site identified as used to support curlews, that supports the Solent Special Protection Area (SPA). It is not itself a designated site.

No change to recommendation.

Ollie Boulter – Strategic Manager for Planning and Infrastructure Delivery
Sarah Wilkinson – Planning Team Leader
Russell Chick – Planning Team Leader

25th April 2023