

# Public Document Pack



Monitoring Officer  
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## Agenda

Name of meeting	<b>PLANNING COMMITTEE</b>
Date	<b>TUESDAY 25 APRIL 2023</b>
Time	<b>4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Members of the Committee	Clrs J Medland (Chairman), W Drew (Vice-Chairman), D Adams, D Andre, G Brodie, C Critchison, C Jarman, M Oliver, M Price, C Quirk, P Spink, and N Stuart  E Cox (IWALC Representative) (Non-Voting)  Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

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### 1. **Apologies and Changes in Membership (if any)**

To note any changes in membership of the Committee made in accordance with Part 4B paragraph 5 of the Constitution.

### 2. **Minutes**

To confirm as a true record the Minutes of the meetings held on:

- (a) 21 March 2023 (Pages 5 - 20)
- (b) 12 April 2023 (Pages 21 - 30)



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's [website](#). This information may be available in alternative formats on request. Please note the meeting will be 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. **Declarations of Interest**

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

4. **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 email to [democratic.services@iow.gov.uk](mailto:democratic.services@iow.gov.uk) no later than two clear working days before the start of the meeting. The deadline for written questions will be Thursday 20 April 2023.

5. **Report of the Strategic Manager for Planning and Infrastructure** (Pages 31 - 170)

Planning applications and related matters.

6. **Members' Question Time**

To guarantee a reply to a question, a question must be submitted in writing or by email to [democratic.services@iow.gov.uk](mailto:democratic.services@iow.gov.uk) no later than 4pm on Friday 21 April 2023. 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, 17 April 2023

## Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email [christopher.potter@iow.gov.uk](mailto:christopher.potter@iow.gov.uk), or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email [justin.thorne@iow.gov.uk](mailto:justin.thorne@iow.gov.uk).

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## **Notice of recording**

Please note that all meetings that are open to the public and press may be filmed or recorded and/or commented on online by the council or any member of the public or press. However, this activity must not disrupt the meeting, and if it does you will be asked to stop and possibly to leave the meeting. This meeting may also be filmed for live and subsequent broadcast (except any part of the meeting from which the press and public are excluded).

If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

If the press and public are excluded for part of a meeting because confidential or exempt information is likely to be disclosed, there is no right to record that part of the meeting. All recording and filming equipment must be removed from the meeting room when the public and press are excluded.

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## Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and Time	<b>TUESDAY 21 MARCH 2023 COMMENCING AT 4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs J Medland (Chairman), W Drew (Vice-Chairman), D Andre, G Brodie, C Critchison, C Jarman, M Oliver, C Quirk, P Spink, N Stuart
Co-opted	E Cox (IWALC Representative) (Non-Voting)
Also Present	Cllrs P Fuller (Cabinet Member for Planning and Enforcement), J Jones-Evans, K Lucioni  C Ashman, M Bartlett, O Boulter, R Chick, B Gard, N Troughton (or behalf of Island Roads) and S Wilkinson
Also Present (Virtual)	Cllrs S Ellis, I Stephens  C Potter
Apologies	Cllrs D Adams and M Price

### 23. **Apologies and Changes in Membership (if any)**

It was noted that Councillor D Adams had been substituted by Councillor M Lilley and Councillor M Price had been substituted by Councillor V Churchman.

### 24. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 22 November 2022 be approved.

### 25. **Declarations of Interest**

Councillor J Medland declared an interest in minute number 27 (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 C Jarman advised that he had not attended the arranged site visit, however he had previously attended site visits to the site and was satisfied that he was familiar with the sites to take part and vote on the applications being considered.

Councillor D Andre declared an interest in minute number 27 (Land known as Pennyfeathers land to the south of Smallbrook Lane and to the west of, Brading Road, Ryde) as she was the Cabinet Member for Children's Services, Education and Lifelong Skills and the scheme included land for a new school.

Councillor W Drew declared an interest in minute number 27 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he had made comments on the application, he would leave the room for the application

Councillor C Quirk declared an interest in minute number 27 (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.

Councillor M Lilley declared an interest in minute number 27 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he objected to the application, he would not take part in the debate or vote on the application.

Councillor M Lilley declared an interest in minute number 27 (Land known as Pennyfeathers land to the south of Smallbrook Lane and to the west of, Brading Road, Ryde) as he was the Local Councillor previously, he would not take part in the debate or vote on the application

Councillor M Lilley declared an interest in minute number 27 (Victoria Barracks, Albany Road, East Cowes) as he had not attended the arranged site visit, he had attended the site on his own to familiarise himself, he was satisfied that he knew the site and would take part and vote on the application.

Councillor P Spink declared an interest in minute number 27 (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 a 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 as his concerns related to the procedure in respect of the previous meeting only.

Councillor G Brodie declared an interest in minute number 27 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he had been on the planning committee for the previous consideration.

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

There were no public questions submitted.

27. **Election of Chairman**

Both the Chairman and Vice Chairman left the room.

In the absence of the Chairman and Vice Chairman nominations were requested by the Clerk for a Chairman for the 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 Cllr N Stuart be the Chairman for the next item of business.

28. **Report of the Strategic Manager for Planning and Infrastructure**

Consideration was given to items 1 - 3 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, 17 March 2023.

**Additional Representations:**

An additional letter of representation had been received by the Local Planning Authority since the report had been published which was summarised in the update paper.

**Comment:**

The Committee questioned if officers could clarify what they were considering as part of the application, the Legal Officer advised that the Committee were considering the application in its entirety and all decision options were available to them regarding the application.

A proposal to defer the application in light of the advice given and discussion taken place at the meeting was made and duly seconded

A named vote was requested the result of which was:

For (8)

Cllrs D Andre, G Brodie, C Critchison, C Jarman, M Lilley, C Quirk, P Spink, N Stuart

Against (2)

Cllrs V Churchman, M Oliver

**Decision:**

RESOLVED:

THAT the item be deferred.

Cllrs W Drew and J Medland returned to the room, Cllr J Medland took the Chair for the remaining items on the agenda.

**Application:**

22/02168/FUL

**Details:**

Remedial work to existing buildings to include internal and external changes, altered fenestration, roof glazing, demolition of outbuildings, storage areas/lean-to shed; new single storey extension; landscaping works, to include reconfigured parking layout, new steps, ramps and handrails, and replacement access barrier; change of use of barracks building for training/education and residential boarding accommodation,



and use of guardhouse as a store (revised description) (re-advertised application)

Victoria Barracks, Albany Road, East Cowes.

**Site Visits:**

The site visit was carried out on Friday, 17 March 2023.

**Public Participants:**

Mr C Palin – on behalf of East Cowes Town Council

Councillor J Jones-Evans – as Cabinet Member for Levelling up, Regeneration, Business Development and Tourism

**Additional Representations:**

Further discussions had taken place with the agent for the applications regarding pre-commencement conditions, updated conditions were proposed.

**Comment:**

The Committee raised concerns regarding the rear of the building and asked what changes were proposed, they were advised that the floor level would be raised to stop any potential flooding therefore the height of the roof could not be reduced, the widows at the back would also be replaced and the number of glazing bars would be reduced.

**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

**Updated Conditions:**

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

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

2. Except where varied by details approved in accordance with other conditions of this permission, the development hereby permitted shall only be carried out in accordance with the details shown on the submitted plans, numbered:

0001 Planning – Location Plan and Proposed Site Development

Plan

0005 Planning – Proposed GA Ground Floor and Site Plan

0006 Planning – Proposed GA First Floor Plan

0007 Planning – Proposed GA Elevations

0008 Planning – Proposed GA Sections

0009 Planning – Proposed Guardhouse Plans, GA Elevations and Sections

0500 P1 External Landscaping Plan

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

3. Prior to commencement of the development, the applicant/developer shall afford access to the staff of the County Archaeology and Historic Environment Service, and shall enable them to record the barracks, guardhouse, and associated features.

Notification of commencement of development, and information as to whom the archaeologist should contact on site, shall be given in writing to the address below not less than 14 days before the commencement of any works:-

Isle of Wight County Archaeology and Historic Environment Service  
Westridge Centre  
Brading Road  
Ryde  
Isle of Wight  
PO33 1QS

**Reason:** This a pre-commencement condition to mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets prior to the works being carried out would be preserved by record in accordance with policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy and the National Planning Policy Framework.

4. Notwithstanding the submitted details, no development shall take place until an Arboreal Method Statement (AMS) 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. The submitted AMS shall incorporate the measures set out in the submitted East Cowes Barracks: Method Statement, and the submitted External Landscaping Plan, drawing number 0500 P1, unless otherwise agreed in writing with the Local Planning Authority, and include

details of protective tree fencing to be installed for the duration of construction works. The agreed method statement (AMS) will then be adhered to throughout the development of the site.

**Reason:** This 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 the amenities, character and appearance of the East Cowes (Esplanade) Conservation Area, and to comply with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

5. Development (other than demolition and remedial works to the existing buildings hereby permitted) shall not begin until a scheme for the drainage and disposal of surface and foul water from the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Foul drainage shall be connected to the public sewer served by Southern Water's Wastewater Treatment Works at Sandown. Development shall be carried out in accordance with the approved scheme, and the approved drainage works completed prior to the building(s) being brought into use.

**Reason:** To ensure that the site would be suitably drained, to protect water quality, and prevent harmful impacts on Habitats (SPA/SAC) Sites within the Solent Catchment, to reduce flood risks, and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy.

6. Development (other than demolition and remedial works to the existing buildings hereby permitted) shall not begin until there has been submitted to and approved in writing by the Local Planning Authority parts a) and b) below. Parts c) and d) shall be required as necessary.
  - a) a desk-top study documenting all previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) Guidance and BS10175:2011+A2:2017, and which also considers UXO risk; and, unless otherwise agreed in writing by the Local Planning Authority,
  - b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk-top study in accordance with BS10175:

2011+A2:2017 – “Investigation of Potentially Contaminated Sites – Code of Practice”; and, unless otherwise agreed in writing by the Local Planning Authority,

- c) a remediation scheme to deal with any contaminant including an implementation timetable, monitoring proposals and a remediation verification methodology. The verification methodology shall include a sampling and analysis programme to confirm the adequacy of decontamination and an appropriately qualified person shall oversee the implementation of all remediation;
- d) The investigator shall provide a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been carried out.

Development (other than demolition and remedial works to the existing buildings) shall not begin until such time as is approved in writing by the Local Planning Authority.

If, during development, any areas of contamination are found to be present at the site then, unless otherwise agreed in writing with the Local Planning Authority, no further development shall be carried out until a remediation strategy detailing how this contamination would be dealt with has been submitted to and approved in writing by the Local Authority.

**Reason:** To protect the environment, prevent harm to human health, and ensure the site would be suitable for the use hereby permitted by ensuring that, where necessary, the land would be remediated to an appropriate standard in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy, the National Planning Policy Framework, and Part 2A of the Environmental Protection Act 1990.

7. All works to the buildings hereby permitted shall be undertaken outside of the bird nesting season (01 March to 31 August), unless supervised by a suitably qualified ecologist, and timing of works shall be in accordance with 6.2.1 of the Preliminary Ecological Appraisal (Arc Consulting Isle of Wight Ltd, dated 20 July 2022).

**Reason:** To avoid disturbance/harm to wildlife, including protected species, and damage to their nests 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 and the National Planning Policy Framework.

8. No construction work shall proceed above foundation level until details of flood resilient measures to be incorporated into the

development have been submitted to and approved in writing by the Local Planning Authority. Submitted details shall have regard to the measures set out in section 7 of the submitted Flood Risk Assessment (dated 15 November 2022). Development shall be carried out in accordance with the approved details.

**Reason:** To reduce flood risks to the development and surrounding land in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.

9. Notwithstanding the submitted plans/details, construction of the extension hereby permitted shall not proceed above foundation level until the details of the materials and finishes (including colour) to be used in the construction of the external surfaces of the extension 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:** To ensure the character and appearance of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

10. The materials to be used in any exterior work to the existing buildings hereby permitted shall match the materials used in the construction of the exterior of the buildings, unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure the character and appearance of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

11. No new or replacement window, roof glazing, or external door shall be installed until details of new/replacement windows, roof glazing and external doors to be installed have been submitted to and approved in writing by the Local Planning Authority. Submitted details shall include specifications detailing the size and

proportions of the units to be installed, details of the glazing, materials, finishes and colour. Development shall be carried out in accordance with the approved details.

**Reason:** To ensure the character and appearance of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

12. Any roof underlining used in the development hereby permitted shall include bitumen roofing felt only, and not breathable roofing membranes.

**Reason:** To prevent harm to protected bat species 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.

13. Notwithstanding the submitted plans, no landscaping works hereby permitted, including hard surfacing, means of enclosure/boundary treatments, or construction of the access ramps/steps, shall begin and the buildings shall not be brought into use until the following details have been submitted to and approved in writing by the Local Planning Authority:

- Hard surfacing materials
- Means of enclosure and boundary treatments – including any barrier to be erected at the Albany Road vehicular access
- Finished levels
- Access ramp/steps and guardrail height, design, and appearance (including materials, finishes and colour)
- Recycling and refuse storage facilities
- Timetable for the carrying out and completion of the landscaping works

Submitted details shall have regard to sections 7 and 8 of the submitted Flood Risk Assessment (dated 15 November 2022), as well as the Council's Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document.

Development shall be carried out in accordance with the approved details and timetable, and the agreed recycling and refuse storage facilities shall be provided prior to the buildings being brought into

use and thereafter maintained and retained in accordance with the approved details.

**Reason:** To ensure the character and appearance and setting of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

14. Prior to occupation of the barracks building bat and bird boxes shall be installed within the building/site in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The boxes shall be installed in accordance with the approved details before the barracks building is brought into use.

**Reason:** To ensure ecology and biodiversity would be enhanced 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 and the National Planning Policy Framework.

15. Prior to the buildings being brought into use, details of the refurbishment of the existing boundary railings, and a timetable for completion of these works, shall be submitted to and approved in writing by the Local Planning Authority. Refurbishment of the boundary railings shall be carried out and completed in accordance with the agreed details and timetable.

**Reason:** To ensure the setting of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

16. The use hereby permitted shall not begin until space has been laid out within the site in accordance with drawing number 0005, and the details agreed in accordance with condition 14, for vehicles to park and turn within the site so they may enter and leave in forward gear. Thereafter this space shall not be used for any purpose other than that approved in accordance with this condition.

**Reason:** To ensure an adequate level of on-site parking would be provided to serve the development, in the interests of highway safety, and to comply with the aims of policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

17. Prior to commencement of the use hereby permitted a parking management and travel plan for the site, including measures to discourage travel to the site by motor vehicles and promote more sustainable modes of transport, shall be submitted to and approved in writing by the Local Planning Authority. The agreed parking management and travel plan shall be implemented and adhered to for the duration of the use hereby permitted.

**Reason:** In the interests of highway safety and to promote sustainable travel in accordance with the aims of policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

18. The use hereby permitted shall not begin until a Flood Warning and Evacuation Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall have regard to the Council's most up-to-date version of its Flood Warning and Evacuation Plan guidance. The approved plan shall be implemented and adhered to for the duration of the use hereby permitted.

**Reason:** To ensure residual flood risks would be appropriately managed and that the development would be safe for all users through its lifetime in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.

19. Prior to the barracks building being brought into use, the building finished floor level on the ground floor where it provides for overnight (sleeping) accommodation and/or means of escape from the building to Maresfield Road shall be raised so that it is no lower than 4.10 metres above Ordnance Datum (AOD) in accordance with section 5.8 and 7 of the submitted Flood Risk Assessment (dated 15 November 2022). Thereafter, the finished floor level of the ground floor of the building where it provides for overnight (sleeping accommodation) and/or means of escape to Maresfield Road shall not at any time be lower than 4.10 metres AOD.

**Reason:** To reduce flood risks and ensure that the development would be safe for all users through its lifetime in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.



20. The use hereby permitted shall not begin until an SPA Code of Conduct has been submitted to and approved in writing by the Local Planning Authority. The submitted code shall set out measures to mitigate for the potential effects of the use of the site, including offsite activities associated with that use, on the Solent and Dorset Coast SPA and the Solent and Southampton Water SPA. The agreed Code of Conduct shall be implemented and adhered to for the duration of the use hereby permitted.

**Reason:** To mitigate for potential impacts to the Solent and Dorset Coast and Solent and Southampton Water SPAs from activities associated with the use of the site hereby permitted, and to ensure the SPA would be protected and conserved in accordance with the aims of policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy, the National Planning Policy Framework, and the requirements of Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).

21. No exterior lighting shall be installed within the site as part of the development hereby permitted, except where it has been installed in accordance with an exterior lighting scheme that has been submitted to and approved in writing by the Local Planning Authority. Any submitted scheme shall include details of the location, orientation, size, height, design, and appearance of any lighting units, as well as the light temperature of the units, and shall have regard to the recommendations contained within section 6.2.2 of the submitted Preliminary Ecological Appraisal (Arc Consulting Isle of Wight Ltd, dated 20 July 2022).

**Reason:** To ensure any lighting would be designed and installed to minimise its effect on wildlife and the surrounding area 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.

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Prior to the start of the application, concern was raised that there was not sufficient time left of the meeting for the Planning Committee to hear the application and make a decision without it being rushed through. The Planning Committee was advised that the meeting commenced at 4pm and was scheduled to last for three hours, the Council's Constitution allowed for a meeting to be extended by up to an hour subject to a majority of Councillors voting for the extension.

**Application:**

20/02159/ARM

**Details:**

Reserved Matters Application relating to P/01456/14:  
904 residential units, school; community centre; commercial buildings;  
relocation of Westridge Garage; community energy centre; sports building  
and changing rooms; structural landscaping; play areas and associated  
highway improvements (readvertised application)

Land Known as Pennyfeathers Land to the South of Smallbrook Lane and to  
the West of, Brading Road, Ryde.

**Site Visits:**

The site visit was carried out on Friday, 17 March 2023.

**Public Participants:**

Mrs J Wade – Objector

Mr Simon Cooke – on behalf of Ryde Town Council

Mr G Hepburn – Agent

**Additional Representations:**

Island Roads had submitted final comments stating that they had no  
objection to the application, and updated conditions had been proposed.

**Comment:**

Councillor Warren Drew spoke as Local Councillor for this item.

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.

A vote was taken, of which the results were equal, the Chairman used his  
casting vote and

RESOLVED: THAT the meeting be extended up to 8pm.

The Committee questioned the amount of affordable housing being made  
available and if these properties could be made available to Island residents,  
if the modelling infrastructure was valid as traffic movements were  
significantly different now, they also questioned the solar gain and number of  
charging points being incorporated into the proposed development. Planning  
Officers advised that the legal agreement in place had set out the level of  
affordable housing as part of the outline, the modelling infrastructure  
provided when the outline application was submitted continued to be valid as  
it showed the impact on the road network once the development had been  
completed. Charging points and solar gain had not been included as this

could be controlled under the building regulation standards.

Concern was raised regarding the impact on Monkton Brook, the Committee were advised that attenuation ponds were proposed with hydro-brakes to control the speed of the flow rate and it was believed that these were adequate to reduce the impact, an informative had been proposed for works to be undertaken to clear the channel of the Monkton Brook although this could be included as a condition to ensure that it was undertaken and maintained.

There was some discussion regarding the proposed energy centre, officers informed the Committee that the requirement of the energy centre was based on a stipulation in the Island Core Strategy and secured as part of the legal agreement, therefore it had to be provided as part of the scheme, there may be a requirement to adapt this in the future due to governments climate strategy.

The Committee questioned the comments made by the Crime prevention Design Advisor they were advised that officers were confirmed that these were considered in the layout, but were concerned with the height of some fences and believed that this could be controlled with the right boundary landscaping, lighting of the site would be controlled so it was appropriate and open spaces would have natural surveillance as far as practicable for their size

Concerns were raised in respect of the financial strength of the landowners/developers to undertaken all of the required provisions. Legal advised that due diligence had been undertaken when producing the section 106 agreement with all landowners.

The Council's constitution Part 4B, Procedure Rules Governing how Full Council, Cabinet, Committees, Sub-Committees and Boards operate (Duration of Meetings) The Committee had extended the meeting for an hour and asked what would happen following this time, it was suggested that the matter would need to be concluded at a later date.

Concern was raised that there would be six weeks before the next Planning Committee meeting and they were advised that an option could be to look at the corporate diary and reconvene in advance of the next meeting of the Planning Committee.

It was proposed that an additional meeting was arranged to continue the discussion and debate on this item only, which was duly seconded. A vote was taken the result of which was:

RESOLVED:

THAT an additional meeting of the Planning Committee would be arranged to continue the consideration of the application.

29. **Members' Question Time**

Due to time constraints this item was not considered.

CHAIRMAN



## Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and Time	<b>WEDNESDAY 12 APRIL 2023 COMMENCING AT 2.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs J Medland (Chairman), W Drew (Vice-Chairman), D Andre, G Brodie, V Churchman, M Lilley, C Quirk, P Spink, and N Stuart
Co-opted	E Cox (Non-Voting)
Also Present	Cllr P Fuller (Cabinet Member for Planning and Enforcement)
	O Boulter, B Gard, M Tuckwell, N Troughton (on behalf of Island Roads) and S Wilkinson
Apologies	Cllrs C Critchison, C Jarman and M Oliver

### 30. **Apologies and Changes in Membership (if any)**

Apologies had been received from Cllrs Claire Critchison, Chris Jarman, and Martin Oliver. Cllr Vanessa Churchman was in attendance as a substitute Cllr Matthew Price. Cllr Michael Lilley was in attendance as a substitute for Cllr David Adams.

### 31. **Declarations of Interest**

Cllr Michael Lilley declared an interest in minute number 34 (Land known as Pennyfeathers land to the south of Smallbrook Lane and to the west of, Brading Road, Ryde) as a neighbouring local councillor and as the previous local councillor.

Cllr Peter Spink declared an interest in minute number 34 (Land known as Pennyfeathers land to the south of Smallbrook Lane and to the west of, Brading Road, Ryde) as a member of CPRE The Countryside Charity, which had previously submitted a letter objecting to the original planning application.

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

No public questions were received.

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

### 34. **20/02159/ARM Land Known as Pennyfeathers Land to the South of Smallbrook Lane and to the West of, Brading Road, Ryde.**

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

**Details:**

Reserved Matters Application relating to P/01456/14: 904 residential units, school; community centre; commercial buildings; relocation of Westridge Garage; community energy centre; sports building and changing rooms; structural landscaping; play areas and associated highway improvements (readvertised application).

Land Known as Pennyfeathers Land to the South of Smallbrook Lane and to the West of, Brading Road, Ryde.

**Comment:**

The chairman reminded the committee that discussions would be a continuation of the debate held at the previous meeting held on Tuesday 21 March 2023.

Concerns were raised regarding a series of written questions and responses which had been provided prior to the meeting. It was agreed that this information would be made available to the public as an appendix to the minutes. The Planning Team Leader provided clarity on a series of grammatical amendments throughout the report. The local member was invited to share comments on the proposals.

Questions were raised regarding the timeframes of the phases of development and deliverability. Comments were made regarding the upcoming ban on gas boilers in new build homes from 2025 and it was suggested that the developers be requested to give serious consideration to vary or remove the energy centre and to consider a more environmentally friendly alternative.

Discussion took place regarding the layout of the development, in particular the rationalisation of the location of the community centre, the multi-use games area, and the school. Questions were raised regarding infrastructure planning as it related to pedestrian access, cycling routes, highways arrangements, and sustainable travel.

Comments were made regarding safety and crime prevention, areas of natural surveillance, and the use of landscaping boundary treatments. The percentage of homes with access to private gardens and/or open spaces was noted. The committee expressed disappointment around the percentage of affordable housing within the plans.

It was proposed, and duly seconded, that the layout of the proposed development would fail to provide an inclusive design due to the location of the community centre, school land and multi-use games area, being divorced from the existing settlement and connectivity of cycle routes which would fail to provide an accessible built environment with a sense of place or strong vibrant community contrary to policies DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the principles of the NPPF.

Following debate, a named vote was taken and the result of which was as follows:

For (6):

Cllrs G Brodie, V Churchman, M Lilley, C Quirk, P Spink, and N Stuart

Against (1):

Cllr D Andre

Abstentions (1):

Cllr J Medland

**Decision:**

RESOLVED:

THAT the application be refused.

**35. Members' Question Time**

No written members questions were received.

Cllr Vanessa Churchman asked an oral question in relation to the development of holiday parks. Clarification was provided around the different policies associated with the delivery of tourism accommodation and the delivery of housing.

Cllr Peter Spink asked an oral question in relation to the two significant items which were scheduled for the next meeting and requested that reconsideration be given to the agenda. Comments were made on relation to holding additional meetings and the operational difficulties this would cause based on the current level of resourcing.

Emma Cox asked an oral question in relation to the process for submitting questions around planning matters.

CHAIRMAN

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## PLANNING COMMITTEE – 12 APRIL 2023

**RE: Minute Item 34, 20/02159/ARM Land Known as Pennyfeathers Land to the South of Smallbrook Lane and to the West of, Brading Road, Ryde.**

### List of questions submitted by members of the Planning Committee, and responses of the Planning Team Leader:

1. What are the ratio of flats to houses (whatever size)?

*There are 408 x 1&2 bed flats. Which equates to 45% of the overall units.*

2. Are there safe pedestrian crossings (especially outside the development)?

*Yes, the proposed junctions are shown to have tactile crossings with appropriate pedestrian visibility. Furthermore, any works secured through a separate Highway Agreement would be required to be supported with a safety audit, which would also ensure that safe pedestrian crossings are provided. The proposed development does not include for any further additional crossings on the network outside of the development unless part of an existing junction is to be altered.*

3. What is the developer's interaction with both the bus and train companies,? Is there a public transport plan and is their agreement that existing buses or new bus routes that will enable Pennyfeathers residents to access via public transport to Ryde, Bay area and Newport?

*There is no 'public transport plan' as part of the outline permission and no requirement for one to be provided as a reserved matter. There is not currently any proposal for bus services to be diverted through the site. Southern Vectis generally will not commit to this until the residents are in place. Brading Road and Great Preston Road are currently both served by the number 2 and 3. I would anticipate that should permission be granted the developer would enter into discussions with Southern Vectis about the potential re-routing of services through the site. The design of the main spine road would allow for this. At outline stage we did try to engage with the train provider, but they did not wish the development to link with the existing platform, so there is no proposed link included and it was not considered necessary as part of the outline permission.*

4. Has there been discussions with SW water whether they can actually cope with the increase demand, and, whether storm surge discharges into the seas around the Isle of Wight of sewage would increase?

*As you may already be aware Southern Water have commented on the application and these comments are on the relevant application page of the council's website - <https://publicaccess.iow.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QL28TAIQMC300>.*

5. What is the additional pressure on GPs, dentists, our hospital and the local schools – can they cope?

*This matter is covered within the officer report for the outline approval, when the number of units were agreed (please see paragraph 6.91 of the original report).*

6. Although a primary school is included in the site, there is no mention of demand on Secondary schools as already Ryde Academy is full and pupils from Ryde are having to travel to Sandown, Carisbrooke and Medina schools?

*Education were heavily involved in discussions at the time of the outline application, when contributions (either financial or through the provision of land) have to be secured. They were satisfied that secondary provision was not required. There is an overprovision of secondary school places on the Island.*

7. Is there a Fire Officer's report on the CHP Energy Centre being build next-door to Westridge Garage?

*No, we do not automatically consult with the Fire Service. However, I can confirm that the replacement garage would not have a petrol filling station. It is considered more appropriate to have a commercial unit immediately next to the energy centre than residential development.*

8. Is there a full detailed report on the CHP Energy Centre? The turbines will be gas fired. What is the height of the flue chimney? Is there a technical information report about discharges of noxious particles into the atmosphere and safety measure to be taken regarding regularly monitoring these? Where will these monitoring sites be? Will they just be within the Pennyfeathers site or also within the wider community? Who is actually going to build the CHP Energy Centre – Greenfield Nordic has stated **they have not been retained** by the developer even though their name is in the Construction Management Plan. So, if not them then who?

*The elevations detail the tower feature on the building, which would accommodate the chimney is shown to be approximately 10m in height. The outline application was supported by an Environmental Statement which incorporated a chapter on Air Quality. This considered the impact of a CHP energy centre and outlines that: "Two CHP units and five gas boilers will be installed in the proposed energy centre as part of development. However, energy demand is anticipated to be met from the operation of two CHP units and one gas boiler. The other four gas boilers remain on standby and only operate in an event of failing of all CHP units. The assessment has been undertaken on the worst-case continuous operation of two CHP units and one gas-boiler.". This document also provide maps showing where receptors sites both within and outside of the site. The officer report for the outline application includes a section within the evaluation on 'Air quality, noise and vibration' (para 6.80), which includes more details on this. The Reserved Matters application has been supported by further air quality assessments, which have been assessed by Environmental Health, as set out within the report. The Centre would require a permit to control emissions under separate legislation, which would deal with any future monitoring. This falls outside of the planning process. Planning cannot control who is the provider/developer so we do not ask who would be operating. This would again be a matter for the permit.*

9. Glen Hepburn, the Planning Agent said in his verbal presentation "Westridge has exchanged contracts, so he's sold to the Developer". What are the agreed terms between Mark Winkles, the Garage Owner and the Developer for the closure of the garage and safe clearance of the fuel tanks etc from site? Will it still be operational when the Energy Centre is brought into operation?

*Whilst I understand that this may be of interest to you and some of your constituents, Planning do not get involved in any terms between landowners. This is not relevant to the planning process. The application incorporate conditions which would require contamination works to remove the fuel tanks etc. prior to any development being undertaken in this part of the site.*

10. I still struggle with who is the developer as Glen Hepburn is only the Planning Agent. I believe Mr Hepburn is retired. Who is he working for? It is usual practice that the planning committee know who the applicant is and there are details of a track record on delivery? This is such a large site, there is a real risk of the development taking years to complete and being left only part completed. I feel the planning committee needs to know more detail on the credibility, track record, financial robustness, qualifications and quality of the people really behind the scheme as the only person visible is a retired planning agent!

*I'm afraid we have no details on who the developer is, and again whilst I appreciate that this may be of interest to you and some of your constituents, there is no national or local planning policy that requires this information to be provided and assessed. Ultimately our decision has to be on the planning merits of the proposal, not the person or entity who has submitted the application. It is also worth noting that a scheme of this size would take years to complete – a national housebuilder would likely take 10+ years to build out a site of this size in its entirety.*

11. There seems to be confusion on whether all landowners are still signed up to the scheme alongside changes to the original plan which is documented into the Section 106 agreement. Does there need to be a new revised Section 106 agreement and can there be confirmation all the landowners who signed the Section 106 agreement are still selling or sold to the developer (again who is this?). To my knowledge Mr Winkle of Westridge Garage is not vacating or selling and in fact as invested in remaining there?

*I can advise that all signatories to the Section 106 are tied to the terms of it. These terms run with the land, so if someone no longer has an interest in the land they are not bound by the agreement, but the new landowner is.*

12. Is the site to be sold on if these reserves matters are approved – and to whom? Does IWC have any say in who this is?

*I am not aware of the plans of the owner(s) if the reserved matters is approved, we are unable to control this. I can however confirm that no, the Council has no control over the sale of any land it does not own. The planning permission, like the legal agreement, is to the land, so if the reserved matters are approved and the land is subsequently sold the new owner would inherit the permission.*

13. Does IW Council have pecuniary interests as IW Council has land (Nicolson Road) which has planning permission by is not deliverable I believe unless Pennyfeathers reserved matters is approved and the value of the land would be in my view affected by this approval?

*The development at Nicolson Road is not tied to the determination of Pennyfeathers. I am not aware that the Council has a pecuniary interest in the proposed development.*

14. Once the first 4 business units are operational how certain can Island Roads be that it will still only be a very infrequent occurrence HGVs will use the roundabout connecting the estate to Great Preston Road? If the link road into the proposed expanded Nicholson Road Business Park isn't constructed as part of the Phase 1 highways improvements then, I would suggest, the frequency of use could well increase. Apart from Commercial Building 2 which is already earmarked for a garage, we do not know what type of occupier will be in the other 4 buildings. Will there be a condition attached they cannot be used for manufacturing purposes; and another that says all HGVs can only enter and exit the estate via Brading Road and the Cothey Way roundabout?

*The junction that Island Roads have highlighted, which I think you are referring to is the link between Smallbrook Lane and Great Preston Road. We cannot predict the number of HGVs or pantechnicons accessing the site. However, Island Roads have confirmed that you cannot currently undertake this manoeuvre, but this is obvious to the driver. However, due to the improvements to the junction it may be less obvious. The proposed development would still represent an improvement to this junction. Any vehicle that could not negotiate this junction could remain on the spine road and use the new roundabout onto Cothey Way. There are no conditions proposed to restrict the use of the commercial building from being used for manufacturing purposes, but again if a vehicle was to be accessing these buildings they would stay on the spine road and not exit onto Great Preston Road then back onto the site from Brading Road. We cannot include a condition that a vehicle cannot use a route that they are legally allowed to.*

15. Is it possible to condition the application that all road infrastructure works are fully completed before any houses or business units are started?

*This would conflict with the timescale set out within the Section 106 Agreement so not at this stage. The point in which any works are required must be linked to the point in which the impact occurs. The current network can accommodate some increases in traffic generation and therefore the works are required prior to the junctions reaching capacity.*

16. There are two houses on the proposed Westridge Junction that have been left and are derelict. We have been told these are not part of scheme by owned by Pennyfeathers? IW Council empty properties officer was not able to take action due to the Pennyfeathers development, can there be a condition that these buildings are repaired and rebuilt and brought back in housing markets or given to a local housing association for social rented accommodation?

*In my opinion the short the answer is no, I'm afraid. You may remember from the Government guidance on conditions that they must be 1) necessary; 2) relevant to planning; 3) relevant to the development to be permitted; 4) enforceable; 5) precise; and 6) reasonable in all other respects. It is difficult to see how a condition, as you've suggested would meet a number of those tests as it would not directly relate to the development.*

17. There is a new planning application for 6 houses on the site on land owned by owners not signed up to the scheme which will affect the scheme, how does this fit in?

*It is possible for there to be multiple and different consents on land, with the landowner able to choose which permission to implement and which not to (or indeed, and if physically possible, a combination of the two). We are not able to stop someone*

*making an application. I note that a previous application for this site was refused in 2022 on nine grounds.*

18. I am not clear of the committee's powers in relation to reserved matters? I am in the understanding that the details of the reserved matters application must be in line with the outline approval, including any conditions attached to the permission. If the proposals have changed in any way, the applicant may need to reapply for outline or full planning permission. The outline planning permission was in 2015, 8 years ago and it appears to be the reserved matters application has changed from the parameters of the original application; shouldn't there therefore be a new out-line or full application? Please can this be clarified?

*This matter is covered in detail in the officer report (please see paragraphs 7.3 – 7.9)*

19. I am also struggling to understand how the reserved matters application can be viewed with the now out-of-date Island Strategy 2012, by the Planning Inspectorate deems this plan out-of-date and IW Council is subject to presumption of sustainable development and the NPPF (2021) has to be taken as the default strategy. I fail to understand how a gas-fired power station/centre complies with the NPPF (2021) and the Low Carbon Emissions and Climate Change requirements. It seems not rationale to approved this when it is clearly not deliverable and should not be delivered.

*The Island Plan is not out of date. It can be considered that some of the policies could be deemed out of date, where they dictate housing delivery numbers, as these have not been achieved, but the plan as a whole is not out of date. The gas fired energy centre has permission. The reserved matters application is simply dealing with the visual appearance of the building which would serve this purpose. If future national policy / legislation (either planning or building control or other) prevented the use of gas as an energy supply (which at present is not the case), then at that time the applicant / landowner would have to ensure any energy centre that was either in operation or proposed, met any new legislative requirements.*

20. There was mention about building regulations and the difference on what is viewed as building regulations or planning considerations which I personally find confusing and it would help to clarify the differences.

*Building regulations and planning regulations are entirely different legislation. In very simple terms planning deals with the use of land, having consideration of what development looks like, how it is accessed, how it impacts on such things as trees, ecology, flooding, archaeology etc. However, building control deals with how the buildings are built. Building control staff are generally surveyors and consider the technical details of the building process, including issues such as foundations, structural integrity, fire prevention, air tightness and insulation.*

21. A couple of things: the Westridge Garage is unclear as we were told at the meeting it had been sold and would be moving as indicated on the plan supplied.

*The information we have is that the Garage is now under the ownership of the developer, thus facilitating the development as proposed.*

22. I sat at a Pensions Conf yesterday and we were told that 'gas fired' units of any description were not to be built. The subject came up, would you believe, regarding cremations. It has been stipulated that all crematoriums will have to be either rebuilt

or converted to electricity, gas will NOT be allowed. So how come a gas fired system is being planned for Pennyfeathers?

*The legislation regarding gas boilers in new homes does not come into force until 2025, and firm details have not yet been published. All new homes built after 2025 won't, by law, have a gas fired boiler installed. There is currently nothing that we can find that clarifies whether this would only impact boilers within houses or district heating systems as well. Until the legislation comes into force any new home can still choose to install a gas-fired boiler. The Future Homes Standard consultation does set out that heat networks (or district heating systems) can decarbonise more easily as new technologies can be added without disruption to individual properties. The legislation is likely to be different for commercial uses, such as crematoriums, but not directly relevant in this instance. The energy centre has consent through the outline. The reserved matters is simply dealing with the design of the building which would house it. If future national policy / legislation (either planning or building control or other) prevented the use of gas as an energy supply (which at present is not the case), then at that time the applicant / landowner would have to ensure any energy centre that was either in operation or proposed, met any new legislative requirements.*

## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 25 APRIL 2023

### 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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## Planning Committee Report

Report of	STRATEGIC MANAGER FOR PLANNING & INFRASTRUCTURE DELIVERY
Date	25 APRIL 2023
Application Reference	20/01061/FUL
Application type	Full
Application Description	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
Site address	Land south of Appley Road, north of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight
Parish	Ryde
Ward Councillor	Cllr Michael Lilley
Applicant	Westridge Village (IOW) Ltd
Planning Officer	Sarah Wilkinson

Background information	The planning application was previously referred to the Planning Committee for consideration on 27 <sup>th</sup> July 2021. The original report for this meeting is included as Appendix A to this report. The relevant update paper from that meeting is included as Appendix B. The minutes from this meeting are provided as Appendix C.
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The application was further presented at the planning committee on the 21<sup>st</sup> March 2023, following additional comments from Natural England, for Councillors to consider amendments to the heads of terms for the legal agreement in respect of whether the additional curlew mitigation land and habitat and enhancement mitigation strategy were acceptable. The report for this meeting is provided as Appendix D. The update paper from this meeting being provided in Appendix E. The draft minutes for this meeting are provided as Appendix F.

At the meeting on the 21<sup>st</sup> March 2023 the item was deferred in light of the advice given and discussion taken place at the meeting.

In order to ensure that the previous committee reports are all provided to Councillors they form Appendices A to F of this document.

#### Additional representations

Since the previous report (dated 21 March 2023) for this site was published two additional letters have been received regarding the provision of a GP surgery within the proposed development. Both of these comments have been made publicly available online.

The comment from the Senior Commissioning Manger for Primary Care Estates and Digital (NHS Hampshire) states that there is a “dire need for additional space” and they therefore support the proposal which includes a GP surgery.

The comment from an Independent Primary Care Consultant, working on behalf of local GPs in the Ryde area, confirmed that the Hampshire and Isle of Wight Integrated Care Board (ICB) have funding and the key medical team in place to deliver the facility proposed within the West Acre Park application site, which would provide the required land.

The comment also states that:

“The new surgery will meet the provision of today’s NHS and the GPs will be able to provide a wider range of services to the benefit of patients. This will include improved access to GPs, co-ordinating care closer to home and integrating community teams plus integrated ‘out of hospital’ care eg nursing, physiotherapy and hosted services. In addition, older people focussed services will be provided eg falls clinics with enhanced disabled access and the hosting of diagnostic services.

The new surgery is located in the first phase of the new West Acre Park development and the GP’s and Captiva Homes are - subject to planning permission being granted – ready to proceed with its delivery.

This is badly needed and I would urge the council to approve the plans for West Acre Park”

Recommendation	Conditional approval of the application, subject to the conditions contained within the original report (Appendix A page 104 - 114) and amended heads of terms to the Section 106 Agreement (as set out in paragraph 8.1 of the original report, Appendix A page 103) to include adherence to the mitigation plan and the habitat enhancement mitigation strategy.
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**Reference Number:** 20/01061/FUL

**Description of application:** 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

**Site Address:** Land south of Appley Road, north of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight

**Applicant:** Westridge Village (IOW) Ltd

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

### **REASON FOR COMMITTEE CONSIDERATION**

This is a major application accompanied with an Environmental Statement, which is considered to be contentious amongst the wider Island community.

### **MAIN CONSIDERATIONS**

- Principle of the proposed development
- Impact on the character of the area
- Impact on neighbouring properties
- Ecology and Trees
- Flood risk
- Highway considerations
- Drainage and surface water run-off
- Air quality, noise and light pollution
- Heritage
- Socio-economic factors
- Other matters

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

- 1.1** The application site is an area of 38.16 hectares located between Appley Road, Calthorpe Road and Bullen Road, Ryde. The site is of an irregular shape and is currently a mix of grazing land surrounded by tree lined hedgerows and the farm buildings associated with Westridge Farm and other land, the Coach House (off Bullen Road), 125 Marlborough Road as well as part of Bullen Road and Appley Road (on which alternations to the existing layout are proposed).
- 1.2** The area surrounding the site is primarily a mix of agricultural land, pockets of woodland and residential properties, although the industrial site of Trucast Ltd. occupies part of the land to the western boundary.
- 1.3** The site slopes from approximately 46.5 meters above ordnance datum (AOD) in the north west corner to 17.5 meters AOD in the south east. There are two watercourses on site; one stream flows south/north along the eastern boundary of the site, the other flows west to east from the western boundary of the site (opposite Salisbury Road), to the eastern boundary, where the two watercourses meet.

## **2** Details of Application

- 2.1** The application seeks consent for the following development:
- 473 dwellings up to two storeys in height, including the conversion of an existing dwelling into a pair of semi-detached dwellings (leading to a net gain of 472 dwellings).
  - Two storey commercial development (including E1 use classes (offices) and a doctor's surgery)
  - Single storey café
  - 10 hectares (approx.) of Suitable Alternative Natural Greenspace (SANG).
  - A range of wider multi-user Public Rights of Way (PRoW)
  - Off-site highway improvements; and
  - Demolition of existing agricultural buildings associated with Westridge Farm and Westridge Cross Dairy.
- 2.2** The application would provide 35 percent of the units as affordable housing, with the following mix of unit types proposed:

	Private	Affordable	Total
1 bed	0	68	68
2 bed	71	28	99
3 bed	193	70	263
4 bed	43	0	43
<b>Total</b>	<b>307</b>	<b>166</b>	<b>473</b>

- 2.3** The proposed dwellings are shown as a mix of single and two storey. The design and materials would be similar to those used on the Hope Road development that is being constructed on the western side of the site (referenced in the application as phase 1), with the predominant use of red brick and a mix of roofing materials including slate and tile of differing colours.
- 2.4** The proposed works to The Coach House would include the removal of redundant agricultural buildings (facilitating access to Bullen Road) and the conversion and refurbishment of the house itself from a four-bedroom dwelling to 2 two-bedroom houses. The existing swimming pool would also be filled in to provide a larger usable amenity area.
- 2.5** To facilitate a new 3m wider multi-users route (pedestrian and cyclist) onto Marlborough Road the existing garage to 125 Marlborough Road would be demolished and the access and parking for this property reconfigured.
- 2.6** The proposed two storey commercial building is shown to be located close to the western boundary, occupying the area of the site closest to Trucast. The building has been re-designed since the original submission, to substantially reduce the scale of the proposed roof. The building is now shown to be approximately 34 x 15.5 metres and a height of c.5.7m to eaves and c.9.5 to ridge. It would be constructed of brick under a slate roof. Internally the building would include eight consultation rooms, two minor procedures room, a practice nurse room, dispensary, toilets and a waiting area at ground floor. The first-floor space would provide staff welfare facilities and an open plan office space.
- 2.7** The proposed single storey café, which would include the provision of public toilets, would be located on the edge of the proposed SANG and provide a 'destination' and natural surveillance for the parkland. The aim of the SANG is to provide an alternative area for dog walking and recreation to nearby coastal areas. In order to represent a suitable alternative, it is necessary for such facilities to be provided for users.
- 2.8** The café building would measure c. 22m x 17m and would have an eaves height of 3.4m with a ridge height of 6.5m. It has been styled as a pavilion with exposed timber support posts supporting a metal framed glazed canopy over an external seating terrace. It would be constructed of brick under a standing seam metal sheet roof. Areas of glazing would overlook the green space and outdoor seating.
- 2.9** The proposed SANG would occupy an area of approx. 10 hectares to the east of the site. The SANG design includes natural meadow grassland, native woodland planting and specimen trees, sculptured mounds, a network of formal and informal paths, a Local Equipped Area of Play (LEAP), wet and dry sustainable drainage systems providing a varied terrain and a dog training area (at the request of Natural England).
- 2.10** As well as the SANG smaller areas of public open space are proposed throughout the housing layout, totalling 6.5 hectares of additional open space (including some drainage features) and an extension to the existing allotments.

- 2.11** The site would be accessed from three points. Two new junctions; one onto Bullen Road to the south and the second onto Appley Road to the north. The third access point would be provided off Hope Road to the west.
- 2.12** The access onto Appley Road would be in the form of a priority junction. Footways would be provided on both sides of the junction to connect with the existing pedestrian network. A zebra crossing would also be provided to access nearby bus stops, to the west of the junction.
- 2.13** The access from Bullen Road would be in the form of a priority junction. A traffic calming feature would also be provided, allowing pedestrians to safely cross Bullen Road to/from the existing footway along the south of the road and link to a proposed new multi-user link to the south through Cothey Bottom Copse.
- 2.14** The Hope Road access would be formed through the extension to the access/junction created under the extant permission P/00760/16, which is currently under construction. Access to the site would be provided via the internal road network, with pedestrian access linking to the site.
- 2.15** A network of footways/ cycleways would also be provided within the site, connecting with existing facilities. A new multi-user route is proposed within the site boundary to the east of the SANG, providing a link to the site and SANG from the wider area and PRow 60. A further multi-user route is proposed within the boundary through Cothey Bottom Copse to the south, linking to Westridge. As outlined above, a new pedestrian/cycle link would be created linking to Marlborough Road through the curtilage of No. 125, Marlborough Road. Finally, a route connecting the SANG to Calthorpe Road would be provided in the north east of the site.
- 2.16** A total of 1094 parking spaces would be provided within the proposed layout. This would include 1,013 for the residential element, of which 179 would be garages and 63 visitors' spaces. A further 83 would be provided for the doctor's surgery, offices, café and SANG. All garages have been designed with internal dimensions of 3m x 6m as a minimum, to allow for cycle parking. If the unit does not have a garage, space would be available within the curtilage or a secure store for cycle parking.
- 2.17** The plans show pagodas over some of the spaces for the commercial units and SANG/café, to allow for the installation of solar panels to power electric charging points.

### **3** **Relevant History**

- 3.1** 19/01574/FUL: Proposed development of twelve dwellings by revisions to approved plots/units 12, 61, 62, 66, 67 & 69 to provide a net increase of six additional dwellings was approved March 2020.



- 3.2** 19/00803/RVC: Variation of conditions 2, 3, 6, 7 and 8 on P/00760/16 to allow alterations to interior floor layouts and exterior elevations, amendments to footprints, house types and layout was approved December 2019.
- 3.3** P/00146/19: Proposed below ground pump chamber, access track and drainage connections (corrected drawing/plan no.5) (re-advertised application) was approved July 2019.
- 3.4** P/007760/16: Proposed residential development of 80 dwellings, and associated access roads, public open space, attenuation ponds and infrastructure (re-advertised application) (additional highway/parking and ecology information submitted) approved August 2017.

## **4** Development Plan Policy

### National Planning Policy

- 4.1** 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.
- 4.2** Paragraph 17 of the framework sets out a number of core planning principles, which include:
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
  - Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
  - Take account of the different roles and character of different areas.
  - Encourage the effective use of land by reusing land that has been previously developed.
- 4.3** Paragraph 58 explains that planning decisions should aim to ensure that developments:
- Will function well and add to the overall quality of an area.
  - Establish a strong sense of place.
  - Optimise the potential of the site to accommodate development.
  - Respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
  - Create safe and accessible environments.
  - Are visually attractive as a result of good architecture and appropriate landscaping.

- 4.4 Paragraph 60 states that “*planning policies should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness*”. Paragraphs 63 and 64 advise that, in determining planning applications, great weight should be given to outstanding or innovative designs, but that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area.

#### Local Planning Policy

- 4.5 The Island Plan Core Strategy defines the application site as being within the Ryde Key Regeneration Area and immediately adjacent to the settlement boundary. The following policies are relevant to this application:

SP1 - Spatial Strategy  
SP2 - Housing  
SP3 - Economy  
SP5 - Environment  
SP7 - Travel  
DM1 - Sustainable Build Criteria for New Development  
DM2 - Design Quality for New Development  
DM3 - Balanced Mix of Housing  
DM4 - Locally Affordable Housing  
DM5 - Housing for Older People  
DM7 - Social and Community Infrastructure  
DM8 – Economic Development  
DM11 - Historic and Built Environment  
DM12 - Landscape, Seascape, Biodiversity and Geodiversity  
DM13 - Green Infrastructure  
DM14 - Flood Risk  
DM17 - Sustainable Travel  
DM20 - Minerals  
DM22 - Developer Contributions

- 4.6 The Council also has a number of relevant adopted Supplementary Planning Documents including:
- Solent Recreation Mitigation Strategy
  - Children’s Services Facilities Contributions
  - Guidelines for Parking Provision as Part of New Developments
  - Guidelines for Recycling and Refuse Storage in New Developments

## 5 Consultee and Third Party Comments

### Internal Consultees

- 5.1** The council's ecology officer has confirmed that the proposed development would not result in any unacceptable impacts on ecological features or protected species, subject to conditions to ensure that proposed mitigation works are implemented in full.
- 5.2** The council's tree officer has confirmed that the proposed development would not result in any unacceptable impact or direct loss of trees but has raised some concerns over shading.
- 5.3** Crime prevention design officer has confirmed, following the submission of additional information, that no objections are raised in respect of the proposed development.
- 5.4** The council's archaeology officer has confirmed that there would not be any unacceptable impacts on above and below ground heritage assets and the setting of designated heritage assets. Concerns have been raised that there would be an impact on the historic landscape character.
- 5.5** Environmental Health have raised no objection, but request conditions should the application be approved.
- 5.6** The highway engineer for Island Roads on behalf of the Highway Authority has recommended conditional approval, subject to the LPA being satisfied that the offsite highway works can be secured by way of a contribution within a Section 106 Agreement. Detailed comments are provided in the highway considerations section below.

#### External Consultees

- 5.7** Natural England have confirmed that they have no objection to the impact on the Solent Recreation Mitigation Strategy, subject to mitigation and no objection to nitrate neutrality. Officers have undertaken an Appropriate Assessment, as competent authority, which Natural England have agreed.
- 5.8** The Environment Agency have raised no objection, subject to conditions.

#### Parish/Town Council Comments

- 5.9** Ryde Town Council have provided a consultation report outlining the method by which they undertook consultation, as they could not meet in the traditional manner, due to lockdown restrictions. This outlines that there was a total of 83 responses, of which 76 objected and 7 supported. The six main reasons for objecting were:
- Increased traffic
  - Infrastructure
  - Housing numbers
  - Ecology
  - Loss of green space
  - Loss of farm

The support for the scheme included the following points:

- Affordable housing
- Public green spaces
- Cycling/walking
- Doctors

The consultation made it clear that, although new housing is required, it should be affordable and or social and be for Island residents reflecting a price point that Island wages can support. There is strong feeling that the proposed site is not suitable due to a lack of adequate local infrastructure including the local road network, doctors, schools and green space. Many respondents cited the loss of Westridge Farm as a reason for opposing the application although this would not be regarded as material by the LPA. Another frequently cited reason for objection was the fact that the development was outside of the Island Core Plan settlement area and that the development could be seen as facilitating settlement coalescence.

- 5.10** A further comment was received from Ryde Town Council following revisions, which raised concerns that the proposed revisions to the access to the site are unsafe and compromise the street scene of Marlborough Road and the access to Salisbury Road and will have a detrimental effect on the local amenity.

#### Third Party Representations

- 5.11** 570 letters of objection have been received raising issues that can be summarised as follows:

##### Insufficient infrastructure

- Number of houses in 2-3-mile radius, which equates to 4000+ residents driving and using local services
- Insufficient capacity at GPs
- Insufficient social infrastructure and jobs on the Island
- Insufficient capacity in local schools, doctors, hospital etc.
- Demands on electricity, water, antiquated sewage system etc.

##### Highways

- Our roads are not built to support more cars
- Infrastructure should be in place first
- Impact on road safety from additional vehicles
- Proposed road works aren't sufficient
- Extension to public footpaths is unnecessary and irrelevant
- Domestic vehicle dominated
- Insufficient pedestrian crossings on local road network
- Traffic calming structures inappropriate and inadequate for busy rural road
- Pinch-point potential to become blackspot for accidents
- New road layout detrimental to safety and traffic flow
- New crossing would need to be lit – impact on existing residents
- Hope Road too small for extra traffic

- Already difficult to pull out of junctions without extra traffic
- The existing streets would need to be strengthened in order to take additional vehicles
- With 1000 extra cars may not be able to cope with tourist's vehicles in peak times
- Ryde infrastructure plan ignored since 2019
- Increased dangers for nearby school
- No room for additional footpaths, cycleways or road widening
- Public transport in the area is limited
- New accesses would be off minor roads where two cars can only just pass
- Roads unsafe to cross, especially by schools, this would be made worse by increased traffic
- Roads will become a 'cut through'
- Accesses would be hazardous
- Makes no provision for cyclists or pedestrians
- Insufficient parking
- Does not provide public transport within a reasonable walking distance
- There are currently insufficient pedestrian crossing points on the local network
- Increased traffic generation onto surrounding road network would be a breach of the human rights of existing residents. [Grassmere Avenue and Appley Road]
- There are no safe pedestrian and cycle routes into Ryde and a limited bus service
- Hazardous to road users including cyclists and pedestrians
- Car dependant scheme
- Inadequate road infrastructure
- Access points not suitable for the volume of traffic
- Cars speed on Bullen Road
- Staged planning starting with infrastructure improvements is what is required
- Noise from increased traffic
- Bullen Road is too narrow with no footpaths or streetlights
- Would there be sufficient capacity on the buses for the number of additional residents
- Capacity of Appley Road with other nearby developments (including Harcourt Sands)
- If the doctors surgery is not just for residents of the development it would increase traffic further

#### Principle/Need

- Why is all new housing being built in Ryde and not other areas of the Island?
- Greenfield
- Current housing strategy is flawed

- Need to establish real housing need
- Overdevelopment
- Who will benefit from the affordable housing?
- General sale will be second homes
- Housing figure is being disputed
- There are lots of empty properties on the Island
- Outside of agreed development boundary, contrary to SP1
- Units are being advertised on the mainland
- Enough applications in Ryde.
- Do not need 3 and 4 bedroom houses
- 3 other planning applications for doctors surgeries
- Proposal goes against roof height conditions placed on newly built properties roof
- Development out of proportion for Island's character and needs
- Housing developments need to be built in environmentally sustainable locations
- Island Plan is out of date – shouldn't be being used as justification
- Need is for social housing of 1 and 2 bedroom not large 3 and 4 bedroom properties
- No need for offices
- Wrong type of houses in the wrong place
- Does not comply with 2018/19 Position Statement produced by the Town Council, which identified the need for 1 and 2 bed units
- Contrary to SP4, SP5, DM7, DM13 and DM17 and NPPF paras 12 – 15
- Wider Ryde regeneration needs to be prioritised
- Brownfield sites should be built out first
- Other developments in the area have houses unsold
- Houses prices would not be suitable for island people and will become second homes
- Other housing developments around the island remain under-subscribed
- Population projections indicate the need for me supportive housing for elderly not family homes
- Houses would not be affordable for the majority of island residents
- Precedent
- Not the right place for residential development
- Not affordable for first time buyers
- End up being second homes, retirement home – not supporting economy in long term
- Island population projected to increase in 65-85 age group – will require supported housing and care homes not family homes
- Not enough people waiting for houses, already large numbers of houses not being sold
- Pandemic raised important of social distancing – too many people crowded into development
- Where is demand for the development? Hawthorn Meadows and Pan

Meadows not fully occupied

- Insufficient jobs for resultant residents due to the pandemic
- Not within or adjacent to settlement boundary
- Ryde's housing quote has been fulfilled

#### Drainage/Flooding

- Inadequate drainage in area leading to flooding
- Could result in flooding downstream
- Pumping station approval has enabled this application to come forward
- Fails to account for main sewer pipeline/southern water sewer transfer
- Sewer air valve emplacement leaks
- Already issues with water pressure
- Environment Agency have objected due to flood risk
- Increase water usage from increase households
- Pumping stations would increase the risk of flooding
- Bullen Road suffers flooding and the fields are essential for absorbing excess water during heavy rain

#### Loss of farm/farmland

- Loss of family farming business and way of life
- We need to protect farmland
- Destroy Ryde's last working farm
- Need to protect farmland during Covid
- Farm and land is of greater benefit to Island people than development
- Farm needed for the Island's economy
- Taking away child's future of becoming a farmer
- Destruction of farm not for Islands benefit
- Island food production is encouraged – less reliance on the mainland
- Utilities in area are already stretched
- Essential to maintain food supplies and farming for local areas
- Phase A should have been considered Grade 2 farmland.
- Loss of community asset (Westridge Farm)
- Holliday family allowed under AHA Tenancy to stay at farm for another two generations
- Loss of local food production

#### Ecology/trees

- Impact on protected species and wildlife
- Impact on UNESCO Biosphere
- Artificial public space does not compensate for loss of green field
- 100's of wild animals killed on roads already – more cars = more road kill
- Ancient Woodland cannot be restored or substituted
- Farm is natural habitat for endangered species
- Application submitted in pandemic so a public meeting to discuss cannot be organised
- Loss of flora, fauna and wildlife habitat

- Destroying valuable green lung
- Destruction of ancient hedgerows, woodland and pasture therefore loss of wildlife
- Impact on sewage affecting marine life at Sandown Bay
- Fields are a winter feeding and resting area for Curlews
- Removal of ancient hedgerow to provide access onto Appley Road.
- Loss of ancient hedgerow
- Does not conserve or enhance the natural environment
- Footpath through Cothey Copse woodland is unnecessary and would impact on wildlife and result in anti-social behaviour, as it's hidden
- Wildlife will be impacted upon by the creation of a path through Cothey Bottom Copse
- Path through copse will lead to increased noise, rubbish and pollution and would impact on privacy and security of residents
- Encroachment into the countryside
- Loss of or unacceptable impact on trees, hedgerows and wildlife
- Residents could have cats, which would impact on wildlife
- Proper flora and fauna surveys have not been undertaken
- Against Government's 25-year environmental plan
- Impact on climate change
- Climate emergency
- Insufficient details of environmental build creditations

#### Character/Heritage

- Farmland important to the heritage of Elmfield village
- Would result in no distinction between the town of Ryde and the villages of Pondwell and Nettlestone
- Unnecessary creeping urbanisation
- Filling 'gaps' goes against planning guidelines – erodes people's sense of belonging
- Urbanisation and coalescence
- Would be separate community to Elmfield
- Overdevelopment when combined with all the other approvals in the area
- Too high density when compared to the local area
- Threatens the identity of Elmfield
- Loss of open views of the landscape
- Separate settlements are important from a historical and cultural perspective
- Local heritage is important and should not be lost
- Damage the character of Ryde
- Ancient woodland and parkland have archaeology importance
- Impact on the character of the surrounding area
- Impact on natural corridor between Ryde and Seaview

#### Impact on existing residents

- Public open space will become a meeting place for teens and anti-social



behaviour

- Harm people's health and wellbeing
- Cars will increase congestion and in turn impact on air quality
- Air quality impacts from nine years construction and noise
- Noise and dust
- Ponds could be a hazard
- New revisions will affect health and safety of residents
- Risks to resident's health if West Acre and Pennyfeathers are constructed at same time
- New scheme (30 November 2020) – Environmental Land Management Scheme – bid to uphold sustainable farming and tackle climate change
- Revisions do not mitigate the core of objections
- Reduces quality of life
- Contravenes Article 23.1 of the Universal Declaration of Human Rights Act
- More built up areas could lead to health issues
- Diminish quality of the island
- Ryde is an increasing area of crime on the Island – would only add to it
- Impact on resultant residents from Trucast.
- Loss of privacy and overlooking to properties in Grasmere Avenue
- Impact on living conditions of neighbouring properties, loss of privacy, outlook and overbearing impact
- Footpath at the end of gardens would be an invasion of privacy
- Noise etc from 9-year construction process would breach human right to quiet enjoyment if property
- Safety of families crossing road with heavy traffic

Other matters

- Island has enough open leisure space
- Proposed play area is very small
- Island will become less self-sufficient
- Council recently stated no development on greenfield sites
- Contradicts Bob Seely's vision for Island
- Against human rights
- Reduction in houses prices [officer note: this is not a material planning consideration]
- They might seek to increase the number of houses later [officer note: this is not a material consideration]
- Additional street lighting would impact on dark skies/ light pollution
- Parkland is isolated on the outer edge of the development, rather than centrally
- Consideration has not been given to the location of a pipeline, which runs along the eastern boundary of phase A
- Health and safety risk of ponds and swales
- Lack of employment opportunities
- Houses should be passive and self-sufficient

- Applications should be postponed until IPS has been adopted
- Increase in waste from increase households.
- Increase in carbon emissions
- Impact on tourism
- Increased vermin at allotments
- Insufficient police/public services
- Increased unemployment following Covid
- Need to safeguard mineral reserves
- Position of doctors surgery is wrong
- Impact on existing septic tank in field
- Development not for Island people
- Future generations will miss out on everything that makes the Island what it is
- Likely increase of antisocial behaviour
- Contrary to NPPF paragraph 170
- Island cannot cope with current over population
- With increase of population the ferries are not going to cope with number or sailings
- Fire Station will need extra cover to accommodate higher risk
- Does not accord with paragraph 155 of NPPF
- Raises Health and Safety concerns being built at the back of an industrial complex
- Need open space for mental and physical health
- No attempt to provide carbon neutral housing – burden on surrounding area
- Island residents would not benefit from development
- Years of lorries for development will create pollution
- Have developers got proof that land is clear of anthrax
- Captiva already have farmland to develop on – why take more
- Proven more built up areas suffered with Covid – should be protecting countryside

**5.12** A further 24 letters were received after additional documentation was submitted and uploaded onto the Council website on the 15<sup>th</sup> June, as it was not considered that residents had sufficient time to review the new/revised details. It is understood from reviewing these letters that it was believed that the application was to be presented to the planning committee on the 6<sup>th</sup> July. This was not the case and therefore sufficient time has been available for this information to be considered. The information mainly related to minor amendment to pedestrian links and the removal of two units. A sustainability checklist and Biodiversity calculations were also submitted and uploaded (25<sup>th</sup> June). Sufficient time has been made available for this information to be viewed and considered, in line with the council's statement of community involvement.

**5.13** An on-line petition of 4286 signatories was handed into the council at the December 2020 Planning Committee (figure taken on 8<sup>th</sup> December 2020). This

has continued on-line and has now reached 4,732 signatures. A future petition has also been set up on the 'Save Westridge Farm' Facebook page, which includes 1,649 signatures. (figures taken on 14<sup>th</sup> July 2021).

**5.14** 2 letters of support have been received. The content of which can be summarised as follows:

- Not a heavily populated housing estate
- Plenty of land left for nature / green spaces and not a concrete jungle
- Scheme is sympathetic in nature and could be a "welcome breath of fresh air" to the development industry
- Development along Appley Road has taken place in the 1950s, 60s and 70s. The proposed field in this area is in between these previously developed areas and would be very well suited to housing, including access road
- Access onto Bullen Road is behind existing ribbon development and almost opposite Cothey Way development, that was built in the last 20 years. Would not be detrimental to the area, except homeowners on Bullen Road.
- On the Marlborough Road side the development mostly adjoins the development already in progress off Hope Road, Marlborough Road allotments and industrial site off Marlborough Road
- Almost the whole of the development would be hidden from general view and would not be detrimental to the vista and ambience of Ryde
- Development would be easily accessible to existing bus routes along Appley Road and Marlborough Road
- Provision of cycle routes and access points encourage the use of these modes of transport. However, plans are also realistic and provide sufficient parking spaces
- Plans include additional amenities, particularly the doctors surgery
- Open space and café will make green leisure area accessible to far more people. This will help develop viable community in this area of Ryde
- Only downside would be the loss of the farm, but tenet can hopefully relocate to another farm

**5.15** 1 comment has been received stating that they neither support nor object but have made the following observations:

- Would result in the loss of farmland but the Island needs housing, particularly housing people can afford and where are they to be provided. The trade should involve securing the optimum number of new homes for the land given up
- Too low density when compared with neighbouring Elmfield and does not make best use of land, with too many grass verged streets and small pockets of open space
- Proposed layout is overparked and includes too many detached houses with generous gardens
- Scheme needs to include fewer bungalows, more terraces, some three storey houses, less parking and grass verges, this would reduce the loss of valuable farmland

- 5.16** The Woodland Trust have commented that sufficient information has been provided to demonstrate that veteran trees on site would be protected from adverse impact. As such they withdraw their previous objection but recommend conditions to protect 'important' trees.
- 5.17** Badger Trust object to the application requesting that a full badger survey is carried out prior to any construction /clearance being carried out. They acknowledge that no setts were identified at this time, but badgers have been seen foraging in the area and could build new setts in the area. They also request that the safety measures mentioned are adhered to ensure the safety of all wildlife in the area [Officer comment: No setts were identified on site and should this situation change they would be protected by other legislation which the developer would have to adhere to and seek a licence. It is considered unreasonable to require further survey work to be carried out].
- 5.18** Cycle Wight have confirmed that some of the comments they had previously raised about the scheme had been addressed, or at least in part, in the latest revisions. They welcome to efforts to improve provision but wish to maintain their objection on grounds that cover the following issues:
- Sharp 90 degree turns in some shared paths
  - Design speed
  - Geometry at crossings
  - Vehicle crossovers (driveways)
  - Side road and minor road crossing – cycle priority and level maintained
  - Use of cyclists dismount signs
  - Bullen Road transition to carriageway
  - Appley Road transition to carriageway and lack of onward connectivity
  - Meeting Local Cycling and Walking Infrastructure Plan requirements
- 5.19** NFU provide details of the agricultural tenancy and ask that the council apply the appropriate weight to the situation that these tenant farmers face.
- 5.20** Ryde Society objects to the application on grounds that can be summarised as follows:
- Site outside of the development boundary
  - Should not be building on greenfield sites whilst there are still brownfield site available to fulfil the numbers
  - Local farming family would lose their home
  - A Ryde Infrastructure Plan is needed
  - Infrastructure in Elmfield is already failing; roads and junctions oversubscribed and in poor condition, roads have width restriction and speed is an issue
  - Scheme would increase traffic and put additional strain on local schools and GP surgeries, as well as the hospital
  - Disturbance over 9 years, due to the scale of the development
  - Once completed would result in light pollution and increase traffic would result in noise and air pollution
  - Continue to be a reliance on motorised transport
  - Two main access points are onto road which would struggle to

accommodate construction traffic

- Island Roads and the Environment Agency opposed this application
- Insufficient details in respect of alternative heating, with the ban on gas boilers in the future. It is unclear how this development will conform with the new legislation, Future Homes Standard
- It is very difficult to understand which Approved Developments have been considered in the revised sensitivity testing regarding the Great Preston Road / Smallbrook Lane junction
- the proposed new zebra pedestrian crossing outside 123 Marlborough Road could create a potential safety hazard for left turning traffic emerging from Salisbury Road. Motorists will be focused on looking right at traffic travelling north from the Westridge Cross junction. Speed is an issue in the whole area and unless a light operated crossing is installed here children and the less physically mobile could easily be put in danger

**5.21** Nettlestone Village Association objects on grounds that can be summarised as follows:

- Environment Agency objects
- Cannot be deemed sustainable, as it would result in the loss of a working farm
- Traffic generation
- Carbon emissions from additional vehicles
- 200 trees would be needed to replace the carbon associated with the construction of one house
- Includes a large number of 3 and 4 bedroom properties, which is not an identified need for the Island
- Consented schemes have not been commenced, allowing for more and more unwanted developments to be approved to meet same “need”
- Nationally (between 2010 and 2017) almost half of approvals remain unbuilt. This should not be used as a justification to build on more of the countryside
- Impact on green corridor between Ryde and Nettlestone
- Increasing the population density will be detrimental to the quality of life of local North East residents, tourism and the IW Biosphere reserve

**5.22** Pondwell Residents Association have objected to the application on grounds that can be summarised as follows:

- Would put pressure on already overstretched health and education services and Victorian infrastructure
- Brownfield land could be used to fulfil demand
- Loss of farm, with its employment and milk production would have a significant impact on the Island’s economy
- Island has high unemployment rates, where are these extra people going to work.
- Additional vehicles would lead to further congestion
- Additional pressure on hospital

- 5.23** Campaign for the Protection of Rural England (CPRE) IW raise significant concerns that can be summarised as follows:
- Without a five-year land supply our countryside is at risk
  - Inadequate flood risk assessment
  - Greenfield location with insufficient consideration of the impact of the loss of the farm and the economic and other benefits of best and most versatile agricultural land, trees and woodlands
  - Permanent loss of grade 2 land does not outweigh any benefit provided by additional housing
- 5.24** Island Watch have objected to the application of the grounds that:
- The proposal is outside of the agreed development envelope
  - There are many brownfield sites on the island which could be used
  - Fields provide a huge natural soakaway for rain and drainage for Ryde/Seaview area, so flooding is not a major problem
  - Local infrastructure is unable to cope with all the additional vehicles
  - Where would GP be coming from to work in the proposed surgery, service is already under severe strain
  - Local schools will not be able to accommodate all the additional pupils
  - Loss of valuable farmland, countryside and wildlife
  - It is a phased development, resulting in 9 years of disruption to local residents
- 5.25** The Ramblers Association have confirmed that they neither object to nor support the application but have made comments that can be summarised as follows:
- Adequate walking / cycling connections are proposed but these should be clearly delineated for each user with strong signage
  - Footpath R60 should be made available for cyclists too
  - If R107 is intended to be a multiuser path consideration should be given to its width
  - The SANG should be made available as soon as possible
- 5.26** Bob Seely MP has objected to the application on reasons that can be summarised as follow:
- Not in the spirit of SP1, as outside of settlement boundary and on farmland
  - No alternatives in terms of site location were considered for the project
  - Locations on brownfield sites would be preferable
  - Contradicts the spirit of SP5 by developing the rural landscape
  - Loss of an historic farm
  - Increase in traffic on local roads, when we should be aiming to reduce the amount of traffic on these roads
  - Will principally be 3- and 4-bedroom houses. Ryde's housing need is for smaller more affordable properties
  - We need to preserve the space and distinctiveness of nearby villages including Nettlestone and Seaview. Undermines green corridor between these areas.

**5.27** Cllr Lilley, the locally elected member has submitted a number of letters of objection. The content of which can be summarised as follows:

- Submitting an application during the Covid-19 pandemic breaches residents human rights under the 1998 Human Rights Act and brings into question the validity of the application
- The site is not within the settlement boundary
- Inadequate road access
- Increase in highway safety issues on Apply, Bullen and Marlborough Roads
- No adequate accessible public transport in reasonable walking distance from all houses impedes the human rights of old adults, children and those who do not drive or have disabilities
- Does not identify a local need
- Ryde position statement states approved housing has already meet the need for all but one- and two-bedroom units and these are not proposed
- Contrary to SP4, SP5, DM7 and DM13, and section 12 – 15 of the NPPF
- Overdevelopment
- Erodes the historic and natural environment and countryside between the parishes of Ryde Town and Nettlestone and Seaview (coalescence)
- Working farm essential contribution to the economic stability of Ryde and the Island
- Contrary to Human Rights Act by denying the family employment, a home and an income
- Sustainability of building houses adjacent to industrial buildings
- Fields off Bullen Road are of archaeological importance
- Access route past 125 Marlborough Road would put increase pressure on narrow pavements and existing residents
- Elmfield would be socially engineered away from a farm/village relationship and rural heritage to one that is an urban sprawl that has lost its historic character and identity
- Fails to conserve and enhance the natural environment
- Over concentration of housing development in the east/south of Ryde that has already damaged the character of the area pushing the community infrastructure to breaking point
- Plenty of brownfield sites still available in Ryde and new planning regulations provide opportunities for shops in Ryde to be converted into flats
- Affordable housing at the prices marketed on 'phase 1' (Hope Road) does not meet the needs for Ryde, which is for social housing
- Contrary to DM7, as makes no consideration of integration and cohesion with Elmfield village
- Inclusion of GPs surgery is wild speculation
- St. John's Church parish area has not been involved in any discussions but is the traditional community hub
- Overwhelm existing facilities / local schools have no capacity
- No safe route to schools
- Residents would have a substantial walk to bus stops
- Appley and Bullen Roads do not provide suitable cycling lanes or footpaths

- Negative / adverse visual impact on landscape character
- By calling the development Westridge Village is trying to recreate a new village at the detriment of the historic village and community of Elmfield
- Proposals have failed to acknowledge the historic settlement of Elmfield and failed to recognise or reflect the distinctive local identity
- Threatens community cohesion
- Development highly geared to car ownership and does not have easy access for those with disabilities or those on foot or cycling
- Existing residents have to cross Appley Road and use unsuitable footpath, as they are invaded by the tree roots and are unfriendly to those with disabilities. This crossing is dangerous due to the speed of traffic
- Appley Road / Marlborough Road roundabout is a major highway safety hotspot
- There is currently no road infrastructure plan to manage the increase on housing in the area
- The current limitations of design of Appley Road make it impossible to make alterations to improve road safety
- Access point onto Marlborough Road would be dangerous and should be removed [officer note: this access is not proposed to be used for vehicles]
- Farming has created a rich eco-system which would be destroyed by the development and will replace natural countryside and farmland with a newly created managed environment. This would increase carbon emissions
- Impact on nearby designations
- Impact on biosphere reserve designation
- Westacre Farm is an important community asset
- Flooding risk
- Impact on tourism from loss of the potential green and new niche tourism products
- Climate emergency
- Impact from nitrates / Dairy farms and preserving greenfield is significantly less likely to have the same impact of nitrates
- Importance of food production, particularly local artisan food production (such as Briddlesford Farm) is very important to future economic growth of Ryde, the IW, the tourism offer and the hospitality industry
- Loss of the potential of an accessible farm and food production from the farm, reduces new business and employment creation for the town that has the highest unemployment on the Island
- Loss of farmland for nitrate credits will mean no opportunity for food production from a local farm and the potential of new artisan food industry that will build export to the mainland and thriving hospitality industry
- Very little farmland for food production on the east of the IW. It will create a huge imbalance on the Island with overdevelopment of housing in the east with increased population and protected land (AONB) and low population on the west
- Impact on public health and economy and other aspects of society from the pandemic
- Infringes the human rights of farming tenants to maintain livelihood and develop his agricultural business and the rights of residents of future



- employment opportunities and food security.
- Island Roads have objected.

## **6** **Evaluation**

### Principle

- 6.1** The application seeks full consent for the construction of 473 new dwellings, a commercial building with doctors surgery, café and associated infrastructure, including a 10 hectare area of open space, known as a SANG (Suitable Alternative Natural Greenspace) (full details are outlined within section 2 above).
- 6.2** The application site is located immediately adjacent to the settlement boundary for Ryde, which would comply with policy in locational terms. A number of third-party objections have stated that the application would be contrary to SP1, as it is outside of the settlement boundary. It should be noted that the policy allows for sites immediately adjacent to the settlement boundary, which this site is. However, regardless of this and the fact that in policy terms this would make the site locational sustainable and acceptable for development, the policy position for housing set out within policies SP1 and SP2 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 (published 19 January 2021) shows that 54% 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 2020.
- 6.4** Paragraph 11 of the NPPF outlines that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking means:
- "(c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

The importance of the above paragraph relates to the footnote attributed to 'out-of-

date' associated with section (d) which states: "This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."

- 6.5** The Council's annual monitoring reports and the Housing Delivery Test demonstrate that delivery over the last three years has been in the region of 54% and we therefore fall within both categories. In light of this it is considered that it is not necessary for an applicant to demonstrate a need for housing development, as this element of policy SP1 is considered out of date in relation to residential development.
- 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.
- 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.
- 6.8** Taking this into account, the sustainability guidance contained within the NPPF and particularly paragraph 103 should be noted, which states that 'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.' Thus, for larger developments, the Planning Authority expects connection to a range of transport modes and to limit car travel.
- 6.9** Comments have been raised by third parties that there have been a number of developments approved in close proximity to this site and therefore the area cannot accommodate further development. Although each application must be considered on its individual merits, it is important when looking at development of this scale to ensure that there would not be any cumulative impacts with other developments, indeed this subject forms a section within each chapter of the Environmental Statement and as such, will be considered within each relevant section of the evaluation of this report. Subject to appropriate mitigation, such as highway improvements, the principle of having a number of sites in the same area being developed in tandem is not considered to be unacceptable.
- 6.10** Third party comments have been received stating that there are sufficient 'brownfield' sites available and this greenfield area should not be developed. This is not the case. Whilst the desire to prioritise development on previously developed land in sustainable locations is recognised, the Council's Brownfield Register shows

that there is not sufficient brownfield land available to meet the identified housing needs of the island without the need for greenfield sites. The Council recently undertook a Brownfield Sites Capacity Study to ask members of the public, town and parish councils, agents and landowners to tell us about any brownfield land they know of and think is available for development on the Island. Of the 84 sites submitted during the study, 25 were already on the brownfield register or known to the council through the previous Island Planning Strategy consultation, 45 were too small (under 10 units) or inappropriate for housing due to site specific constraints and of the remaining 14 that were investigated further, 2 sites with a yield of around 75 units have been included in the draft Island Planning Strategy consultation documents. Whilst there is a clear national and local preference to use brownfield land for development, a significant proportion of past brownfield sites have already been developed and therefore some greenfield land is needed for development to help provide enough houses so that affordable housing issues can start to be addressed on the Island.

- 6.11** Furthermore, in instances where a brownfield site contains a vacant building it is possible for an application for redevelopment to apply 'vacant building credits' to any proposal, which can significantly reduce or remove the requirement for affordable housing to be provided. This factor and the challenges associated with the viability of developing previously developed land (brownfield) can make it even harder to secure affordable housing, to meet the needs.
- 6.12** The application is supported by a brownfield assessment, which considers the availability of brownfield land within Ryde, to provide the proposed development. This assessment identifies ten sites. However, when considering the availability of these sites, two have already been implemented and are not therefore available. Three are in commercial use, the loss of which would be contrary the guidance outlined within policy DM8 of the Island Plan, while one of these is also within an area of flood risk, so would not be suitable for residential development. One is a public car park and there are only 4 that represent possible sites. Two of these have permission for housing, so have already been accounted for within the five-year housing target. The remaining two would only provide 29 units in total (14) of these being a potential yield. Having regard to this assessment and the above, officers are satisfied that there is not sufficient brownfield land in the area to accommodate the development being proposed.
- 6.13** A number of concerns have also been raised by third parties with regards to the ability of the area's social infrastructure (doctors, St. Mary's etc.) to accommodate the number of units. Prior to the Core Strategy being adopted a number of consultation processes took place with key stakeholders to establish that the recommended number of units required over the plan period could be accommodated. This is still considered to be relevant. Furthermore, the scheme includes provision for space for a doctors' surgery, should it be required. Furthermore, not all of the dwellings would accommodate residents who are new to the area or the Island, because some would cater for local people and therefore these individuals would already access these services.

*Loss of agricultural land*

- 6.14** A number of third parties have raised concerns that the site should not be developed as it would result in the loss of the existing working farm, both in respect of land and buildings (Westridge Farm) and use best agricultural land.
- 6.15** Guidance states that policies should aim to protect the best and most versatile (BMV) agricultural land from significant, inappropriate or unsustainable development proposals. Natural England must be consulted on applications likely to cause the loss (or likely cumulative loss) of 20ha or more of BMV land. Land grading is based on soil quality and the ability of the land to produce high crops yields. It should be noted that this site is not used for crops but grazing, as Westridge Farm is a dairy farm.
- 6.16** The Natural England maps (ALC map London and the South East 2010) simply identify the site as being Grade 3 (good to moderate), they do not distinguish between 3a and 3b. They do not identify any of the site to be a higher grade than this. However, it is acknowledged that within the post 1988 Agricultural land classification map (Magic) the site is broken down into three grades, although primarily Grade 3b with some 3a and 2. The grade 2 land representing the area off Appley Road which will be discussed in more detail in the below paragraph (6.16).

The site is separated into the following grades:

- 3.021ha = grade 2
- 5.854 ha = grade 3a
- 19.172 ha = grade 3b

In respect of the loss of the land and buildings associated with Westridge Farm, the majority of this land is 3b. Loss of protected BMV therefore only relates to 8.875 ha, which is significantly below the threshold of 20 hectares which would require consultation with Natural England. It is therefore considered not only that the proposed development would be appropriate and sustainable, it would also not result in an unacceptable level of loss of BMV farmland.

- 6.17** Reference is made in third-party comments to an appeal in 2004, which refused the residential development of the area of land off Appley Road (land between Grasmere Avenue and Thornton Close), which was dismissed at appeal due to the loss of the BMV.
- 6.18** It is acknowledged that two applications were refused and dismissed for this site but also that a later application was approved in December 2005. In considering the appeal the Inspector outlined that the loss of agricultural land was balanced against the need for the accommodation. At the time of these applications acknowledging that there was a need but not allowing the appeal on the basis that it resulted in the loss of too much land for solely speculative development.
- 6.19** Furthermore, it is noted that the grading is a starting point and guidance states that, in instances where BMV land may be lost consideration should be given to the soil quality in the assessment of whether the land should be considered BMV. In the instance of the land off Appley Road, which is considered to be of a higher grade than the rest of the site, the submitted percolation tests and drainage strategy show

that the soil is not freely draining and therefore is less likely to be considered BMV, which in turn may explain why the whole site appears as Grade 3 in the Natural England 2010 maps.

- 6.20** When considering the site as a whole this parcel of land is required to ensure appropriate access and therefore on balance it is considered by officers that the loss of the BMV land has been justified as necessary.

*Human rights*

- 6.21** Comments have not only been received raising concerns with regards to the loss of land associated with agriculture, but also that the scheme would end the current tenure of the family who live and work at Westridge Farm. It has been suggested that to build on this land would breach their human rights.
- 6.22** In respect of this application concerns have been raised relating to the tenants right to farm the land they lease and the landowners right to sell it/develop it. Both Article 1 of the First Protocol (protection of property) and Article 8 (right to respect for private and family life) of the Human Rights Act 1998, which gives effect to the European Convention on Human Rights, are relevant to the determination of this application, however, they are not absolute rights.
- 6.23** To be deemed compatible, interference with the rights under Article 1 of the First Protocol, the interference must fulfil certain criteria: it must comply with the principle of lawfulness and pursue a legitimate aim by means reasonably proportionate to the aim sought to be realised.
- 6.24** The rights enshrined in Article 8 are qualified, where any interference with them is justified as being in the public interest, and under paragraph 2 of Article 8 as being in accordance with the law, pursuing a legitimate aim, and as being necessary in a democratic society.
- 6.25** Officers note that any rights of an agricultural tenant are governed by the agricultural tenancy legislation which sits outside of the planning process. Any matters relating to the end of the tenure are a private law matter between the relevant parties.
- 6.26** Ultimately, potential interference with human rights, and personal circumstances are a material planning consideration. The weight to be attached to those considerations is entirely a matter for the decision maker.
- 6.27** In forming the recommendation, officers had regard to all of the material planning considerations and specific regard to the need to balance the social and economic benefits of providing 472 additional homes against the loss of the existing tenant to continue to farm and live on this land. The local planning authority has to balance the material planning considerations as against the development plan which informs its recommendation. Officers considers that a decision to approve planning permission in the form identified in this report strikes the correct balance for the purpose of the proportionality and legitimacy of interference with Convention rights.
- 6.28** Although this is a very emotive issue officers have considered the requirement of the

human rights act and on balance consider the benefits of the scheme, having due regard to the current under provision of housing on the Island and the benefits the scheme would provide in this regard, would result in the development of this farm land for housing being acceptable in principle.

#### *Impact on Isle of Wight UNESCO Biosphere designation*

**6.29** Comments have been received suggesting that the proposed development would impact on Isle of Wight UNESCO Biosphere designation. The Isle of Wight was designated as an UNESCO Biosphere reserve in 2019. The UNESCO website outlines that:

“Biosphere reserves are ‘learning places for sustainable development’. They are sites for testing interdisciplinary approaches to understanding and managing changes and interactions between social and ecological systems, including conflict prevention and management of biodiversity.”

**6.30** The designation identifies the ecological characteristics of the IOW represents a unique assemblage of species highlighting the nexus between the northern most point for some species and the southernmost point for others. It also highlights the uniqueness of the Island’s woodlands for the co-existence of stable populations of red squirrels, hazel dormouse, Bechstein bat and barbastelle bat.

**6.31** The socio-economic characteristics being a “strong, modern manufacturing sector in comparison with south east England, as a result of companies and local supply chains in marine industries, aerospace, and composite material production; plus a healthy level of self-employment and micro-businesses, many of which are attracted by the quality of place offered by the Island. These, allied to the visitor economy and the offer to tourists, provide the opportunity for sustainable growth.” (Isle of Wight Biosphere Reserve, United Kingdom (unesco.org)). The importance of tourism to the Islands economy is also highlighted, although the changes to holidaying over the last 30 years is acknowledged, which has resulting in a gradual decline.

**6.32** As will be expanded upon in the relevant sections below, the proposed development is not considered to have an unacceptable impact on trees or protected species and would result in socio-economic benefits and as such, officers do not consider that the proposed development can be considered as having a detrimental impact on the designation, which is about allowing sustainable development to take place.

**6.33** Having due regard to the above officers consider the principle of the proposed development to be acceptable.

#### Impact on the character of the area

**6.34** The application site is located on the outskirts of Ryde, between Ryde’s residential area and the commercial edge around Brading Road. The surrounding area is therefore primarily one of residential development, although officers acknowledge that the site itself is currently farmland. Residential development is located to the north, south and west of the site, as well as a section of the eastern boundary.

- 6.35** The application is for the large-scale redevelopment of non-previously developed land and as a result it must be accepted that there would be a change to the visual appearance of the area. In order to consider the impact of this change, it is necessary to also consider the quality of the existing landscape. The site is not located within or in close proximity to any designated landscapes, with the AONB Partnership confirming at screening stage (prior to the application being submitted), that “the site does not lie within the Isle of Wight AONB and is some considerable distance from any of its boundaries”. However, the absence of statutory or local planning policy designations does not automatically imply a lack of value.
- 6.36** At a national level, the site is located within Natural England’s National Character Area (NCA) 127 Isle of Wight which covers the Island in its entirety (Natural England, 2014). Due to the scale of this character area, it is considered more suitable to consider the local level character areas.
- 6.37** The landscape character at a local level is established by the East Wight Landscape Character Assessment, which identifies that site as falling within ‘PL2 Northeast Pasture Land’ character area. The study recognises the East Wight as a well-settled landscape with a number of the Island’s larger urban areas located on the coastline (including Ryde), and away from these urban areas. The overall condition of the features of this character area is judged to be good and the character of the area judged to be strong

The Assessment sets out landscape guidelines specific to this character area which include:

- Conserve and enhance the hedgerows and hedgerow trees in this character areas through appropriate management
- Conserve the ancient woodland areas
- Work with owners using fields to keep horses to encourage sensitive approaches to pasture management, hedgerow maintenance, and siting and maintenance of structures and other paraphernalia
- Conserve and enhance the historic environmental features which contribute to the character of this area such as its listed buildings
- Retain and maintain access to the area via the PRow network; and
- Conserve and enhance grasslands and wetlands for nature conservation benefit.

The scheme seeks to retain as many hedgerows and trees as possible, reinforcing retained hedgerows with buffer areas, and would include them into the management regime for the communal areas on the site. It would also preserve the ancient woodland areas, it would not result in any impact on listed buildings or their setting, it would enhance the public rights of way network and would incorporate the SANG, which would provide a large undeveloped and accessible area for enhanced biodiversity. It is also noted that the Northeast Pasture Land is a large character area and as such officers consider that the area which would be lost would impact to an unacceptable degree to the understanding of the landscape character area.

- 6.38** The proposed scheme is considered to take these guidelines into account and although the development would result in the loss of useable pasture land, it would retain and enhance the features of interest within it. The proposed layout separates

the site into various phases, many of which have been dictated by the existing hedge and tree belts through the site, where practicable. No development is proposed within the ancient woodlands, and although a pedestrian route is proposed within Cothey Bottom Copse, this would involve minimal works and would not require the removal of trees. This route would also not only seek to retain and maintain access to the area via the PRow network, but the scheme as a whole also proposes a number of additional PRow, through and around the site, which would significantly improve connectivity to the wider countryside. This is discussed in more detail below within the highway section of this report.

- 6.39** As the overall condition of the features of this character area are judged to be good and the character of the area judged to be strong it is considered that it has the capacity for change, without having a significant impact on the overall character area. The area over which the landscape effects would be felt would also be limited to the site itself and its immediate boundaries and experienced against the backdrop of existing urban influences. This is because the network of tree lined hedgerows, pockets of woodland and residential development to the west largely obscure views of the site.
- 6.40** The Environmental Statement includes a visual impact assessment, looking at the likely significance of effects on the landscape character of the area. This includes details of the topography of the site and the surrounding area. This information shows that the site sits in a bowl, with the levels on site being 15 – 30m AOD, with surrounding land to the east, south and west sitting higher at 45 – 60m AOD. Land to the north being around the same height until the sea, but over a built-up area. This reflects, that the visual appearance of the development from long distance views would be limited, due to topography alone, without considering intercepting landscaping. A study area of 3 miles from the centre of the site was used to establish the zones of visual influence (ZVI). This being an assessment of places from which the proposed development is most likely to be visible. The ZVI confirms that the site would only be visual from narrow strips to the east and west and out at sea, where distance and the foreground of existing development reduces impact significantly.
- 6.41** The first stage of assessing the landscape and visual effects is carried out by identifying the sensitivity of the receptor to change as a result of the project. Sensitivity has been described in this assessment using the terms high, medium, low or negligible.
- 6.42** The submitted information evaluates the overall sensitivity of the landscape resource as medium. It sets out that the site is characterised by open grassland fields, contained by areas of woodland and hedgerows. There is currently no public access to the site, and whilst the site has special scenic qualities, it is not unique or rare. The site does not contain any demonstrable physical attributes that would allow it to be defined as a 'valued landscape' as per paragraph 170(a) of the NPPF. Officers concur with this conclusion.
- 6.43** Using the ZVI as a baseline fourteen viewpoints have been identified. These would be experienced by different user groups, which would vary the visual sensitivity. For example, if a view is only experienced by someone in a passing car, this view is less



sensitive than a view which is experienced by a walker, who would take longer to pass and appreciate the view. The following table has been provided to identify the sensitivity of each receptor group alongside the viewpoint locations:

Receptor Group	Viewpoint Location	Sensitivity
1. Immediate views from Appley Road from the north	1	Low
2. Immediate views from the west at Hope Road and Marlborough Road Allotments	2 3	Medium
3. Immediate views from the south at Bullen Road	4	Low
4. Close views from the northeast at Thornton Manor Drive and Calthorpe Road	5 6	Low/medium
5. Close views from the east from Bullen Road	7 8	Medium Low/medium
6. Distant view from east at Nettlestone	9 11	Low/medium
7. Distant view from southeast from Public Byway 13	10	Medium/high
8. Distant views from the west	12 13	Medium Low
9. Distant seascape views from the north west	14	Medium/high

Officers consider that these are appropriate and agree with the conclusions of sensitivity.

- 6.44** Once the sensitivity has been identified the assessment must then establish the magnitude of the impact. This stage identifies those aspects of the project that may result in an impact and takes into account the mitigation measures adopted as part of the project, such as landscaping, open space, buffers and layout. The magnitude of change is described as high, medium, low, negligible or no change.
- 6.45** The sensitivity of the receptor to change as a result of the project is considered in relation to the magnitude of impact (high, medium, low, negligible and no change), which together contribute to the overall significance of effect (major, moderate, minor, negligible and no effect). The nature of that change is also assessed as being adverse, beneficial or neutral. The effects are considered both during construction and at operation of the proposal.
- 6.46** When considering the operational effects of the proposal (opening year), the following table has been provided to identify the summary of visual operational effects:

Receptor Group	Viewpoint Location	Magnitude	Significance and nature
1. Immediate views from Appley Road from the north	1	Medium/high	Moderate adverse
2. Immediate views from the west at Hope Road and Marlborough Road Allotments	2	Medium	Moderate adverse
	3	Low/medium	
3. Immediate views from the south at Bullen Road	4	Medium	Minor adverse
4. Close views from the northeast at Thornton Manor Drive and Calthorpe Road	5	Low/medium	Moderate adverse
	6	Medium	
5. Close views from the east from Bullen Road	7	Medium	Moderate adverse
	8	Low	
6. Distant view from east at Nettlestone	9	Negligible	Negligible adverse
	11	Negligible	
7. Distant view from southeast from Public Byway 13	10	No change	No effects
8. Distant views from the west	12	No change	No effects
	13	No change	
9. Distant seascape views from the north west	14	No change	No effects

The conclusions of the assessments which state ‘no effect’ are generally due to proximity from the site/distance from the viewpoint, discernibility of the site, intercepting landscaping, topography and visual context. Officers concur with these conclusions and this report will therefore concentrate on the impact on views identified as minor or moderate adverse.

**6.47** The significance and nature of the impact from viewpoint location 1 was considered to be moderate adverse. It does not follow that a visual effect would in itself be unacceptable. In respect of viewpoint 1 (Appley Road) the submitted details acknowledge that the magnitude would be medium/high, “due to the proximity of the view and the loss of boundary vegetation, which would make the proposed built form clearly visible from this location.” However, the proposed layout has been designed to mitigate the impact, with the proposed units being set back from Appley Road a distance of approximately 18 meters, allowing space for landscaping, while also ensuring that the proposed units would follow the building line formed by existing properties in Grasmere Avenue / Derwent Drive and Thornton Close. Having regard to this set back, the limited aperture where the view across the site from this point is possible and the presence of residential properties on either side of the ‘opening’, officers considered that the impact would be different but not unacceptable in the context of the street scene and would not have a significant impact on the character of the area.

**6.48** Although not included within this viewpoint, when considering the impact on the development from Appley Road, there would also be a visual change, due to the proposed highway improvement works (outlined in greater detail in the highway considerations section below). These changes would include the removal of two trees (an Oak and a Sycamore) on the northern side of Appley Road, the removal of part of the hedgerow on the southern side of the road, the positioning of a zebra crossing and a section of footpath on the southern side of the road. The highway engineer also considers that a further section of the natural growth/trees to the east of the proposed zebra crossing may also need to be removed, for visibility. This

would result in a visual change to the immediate street scene around the entrance of the site for those using Appley Road. This change is acknowledged, however when balanced against the benefits to proposed and existing residents, including the provision of a bus shelter and zebra crossing, the harm is not considered to be significant and is outweighed by the benefits.

- 6.49** Viewpoints 2 and 3 (Hope Road and Marlborough Road Allotments) is, as with viewpoint 1, an instance where the change would be significant, due to the proximity of the viewpoint, immediately adjacent to the western edge of the site. At this point, the approved development off Hope Road (referred to in the application documents as phase 1), and the new access, would be visible in the foreground, which would contrast from the view seen in the submitted documentation, with the photographic survey having been done prior to this development commencing. This view would not be one solely of housing with landscaping proposed (and to be retained) within this area. Furthermore, the vista past 'phase 1' off the proposed extension to Hope Road, would be across a proposed area of public open space. Therefore, although the view would be different and the housing would be highly visible, the immediate view of someone travelling down Hope Road, would be across open space.
- 6.50** As with viewpoint 1, when standing in Hope Road, you are viewing the site from an established residential area, the context is therefore more urban, and the proposed housing would not look out of character with its surroundings.
- 6.51** Viewpoint 3 looks over the site from the allotments off Marlborough Road. As with view 2, this outlook has already been changed from that seen in the photo survey, as the majority of the boundary with the allotments is shared with 'phase 1'. The combination of the approved 'phase 1' and the now proposed development is not considered to be significant from this viewpoint, as the approved housing would already restrict the view. The impact from this view would also be limited to allotment users and private residential properties. The topography of the surrounding landscape means that the higher land to the east of the site would still be visible, allowing the rural context to be seen, through and above the buildings, retaining the appreciation of the countryside beyond. The impact on the character of the area is therefore not considered to be unacceptable.
- 6.52** There would be glimpses of the site from between properties in Marlborough Road, but these would be minimal and it is considered that the change would not be harmful to the character of the area, as they do not provide an important break, being small apertures only visible when standing within a gap, and not a wider view.
- 6.53** Viewpoint 4 is taken from Bullen Road. Due to the existing line of housing along Bullen Road, the proposed development is set back behind these, with the exception of the works to The Coach House, which form part of this application. The submitted documents outline that the scale of change in the view is considered to be medium/high largely as this viewpoint is located immediately adjacent to the proposed new southern access junction as part of the project. The existing farm buildings would be replaced with the proposed access road with dwellings beyond. The existing buildings which are located fronting onto the road would be retained thereby retaining the existing streetscape built-form character. The proposed access road has a slight curve as it moves through phase G, with an area of open space to

the west, which would allow for landscaping and trees to be planted, which once established, would reduce views into the site. The proposed development would be concealed along much of the length of the road, as a result of the existing dwellings. Glimpsed views would be available when travelling down Bullen Road, but officers do not consider that these glimpses would change the character of the area as experienced when travelling down this road. The route would still retain a rural feel. Therefore, the extent of the area over which the changes would be visible is considered to be medium. Officers concur with these conclusions and consider that the view would change (particularly from the outlook of the existing residential properties, which is considered in the relevant section above), but this would not be harmful to the character of the area.

- 6.54** The proposed changes to The Coach House would be visible from the street scene and the resultant site access. It is considered that these would be seen in the context of the development as a whole and would not result in any impacts on the character of the area.
- 6.55** Viewpoint 5 is taken to the north east of Thornton Manor Drive, as such the change in character would mostly affect the views from existing residential properties. The significance and nature in respect of this viewpoint is considered within the submitted assessment to be moderate adverse, with the scale of the change considered to be low/medium. The submitted assessment outlines that development would be set back from the eastern boundary of the site which would ensure the retention of countryside views from this location in a southerly direction. Development towards the south west would be partially visible across an area of proposed open space, through boundary vegetation, but at a distance of over 100 metres from the end of the road to the nearest proposed dwelling the view would retain an element of open space character. The extent of the area over which the changes would be visible is considered to be low. Officers therefore consider that this change would not have an unacceptable impact on the character of the area.
- 6.56** Viewpoint 6 is taken from Calthorpe Road. The proposed development would be largely screened behind the existing roadside woodland and vegetation, with the proposed built form being set back a considerable distance (c.275 metres), due to the intercepting SANG, which also includes landscaping. The submitted assessment considers that the scale of change in the view is considered to be medium, although could increase to high in the winter months, as the wooded horizon which is visible during winter months would likely be replaced by development. The assessment also highlights that given the density of the roadside vegetation there is likely to be little / no visual connection between the project and the nearby heritage assets, this is covered in more detail in the Heritage section below, but officers would agree with this assessment.
- 6.57** The submitted assessment considers that the impact on completion would be temporary, as the landscape mitigation proposals would not be fully established. After a period of 15 years the change would be permanent but, due to the establishment of landscaping the overall magnitude of the impact would be negligible/low. Having regard to the existing screening, the distance between this viewpoint and the proposed built form, officers consider that the proposed development would not have a significant or unacceptable impact on the character

of the area from this vantage point.

- 6.58** Viewpoints 7 and 8 are taken from two points to the east of the site, along Bullen Road. The assessment considers the magnitude of impact on these views to be medium and low respectively. This is due to the extent to which the proposed development would be screened to varying degrees due to the presence of woodland trees and roadside vegetation, although there is again an acknowledgement that the screening would be less in winter months.
- 6.59** When viewing across the intercepting fields the housing to the west of the proposed development is visible in the backdrop. This residential line would simply be bought closer to the view, but with fields being retained between to preserve the rural character from this vista. Officers consider that the impact would be acceptable and would not harm the character of the area.
- 6.60** Viewpoints 9 and 11 are taken from the east of the views 7 and 8 and the magnitude of the impact is considered to be negligible. The submitted assessment considers that the development would be unlikely to be perceptible from this distance, due to the landform ridge at Pondwell and vegetation and buildings which are located along the hilltop. Any views which would be possible would be only glimpsed through gaps between buildings and experienced at a distance of over 1.2 km sitting against the existing backdrop of the built-up eastern edge of Ryde. Officers agree with this assessment and consider that the scheme would not be readily visible from this location and as such the proposed development would not have an impact on the character of the area from this vantage point and distance.
- 6.61** The assessment concludes that there would be no change and no effects from viewpoints 10, 12, 13 and 14. View 10 being taken to the south of view 8, from which the magnitude of impact was considered to be low. This distance of nearly 2 km from the site reduces this impact future to no change. Viewpoints 12 – 14 are over 2 km from the site and this distance combine with varying built form would result no change.
- 6.62** The submitted assessment has considered the magnitude of impact at completion and after 15 years. The above extracts provide the assessment at completion. The submitted information concluding that “the magnitude of the impact to ‘PL2. Northeast Pasture Land’ local landscape character area is considered to be low at completion. The area over which the landscape effects would be felt would also be limited to the site itself and its immediate boundaries and experienced against the backdrop of existing urban influences. A new extended settlement edge would be partially visible from immediate rural locations to the east but no further within the much larger character area. Combined with a low/medium sensitivity the effects are considered to be minor adverse at completion due to the loss of open countryside land, which is not significant in EIA terms.”
- 6.63** After 15 years the assessment concludes that “The magnitude of the impact to ‘PL2. Northeast Pasture Land’ local landscape character area is considered to be negligible after 15 years. The maturing tree plantings to the east of the site and within the project itself would create a new greener edge to Ryde and the addition of the grassland areas within the SANG would further improve the contribution to the

character area. Combined with the low/medium sensitivity, the significance of effect is anticipated to be minor adverse, which is not significant in terms of EIA.....The overall significance of effect after 15 years on the local landscape character 'PL2 Northeast Pasture is considered to be minor adverse. The project would result in the loss of agricultural land which would be offset by the addition of the SANG naturalised landscape and new woodland and tree planting."

- 6.64** Officers concur with the conclusions of the visual impact assessment both at completion and after 15 years. The proposed landscaping and layout together with the presence of the SANG would ensure that the wider rural views are retained and although the immediate views from the existing residential streets to the north and west would change, this would be experienced by a small receptor group and would not have a significant impact on the character of the area.
- 6.65** It is acknowledged that the direct effect on the site from the development would be greater, as this existing site is open fields the submitted assessment considers the impact to be low after a period of 15 years as tree planting matures and grassland areas would be fully established.
- 6.66** The assessment considers that the overall significance of effect after 15 years on the local landscape resource would be considered to be minor beneficial, as a result of the creation of the large areas of formal and informal public open space, SANG, ecological areas, and substantial tree planting. Officers consider when accepting the need for housing and the limited extent to which the development site would be visible from a wider area, together with the other benefits of the scheme the impact on the character of the area would be acceptable.
- 6.67** Concerns have been raised that the application would result in coalescence between Ryde, Nettlestone and Seaview. 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"
- 6.68** The Study provides guidance for maintenance of the gap between these settlements:
1. Preserve the openness of the lower valley slopes, and maintain the woodland blocks, well-treed hedgerows and individual field trees  
*The valleys both east and west of Pondwell are important separating features, and tree cover screens or filters much of the development in the area, preserving rural character.*
  2. Minimise development in exposed locations  
*This applies to areas that lack screening tree cover, or where there would be skyline visual impact that might increase the sense of urbanising containment, in particular the open slopes around Bullen Lane to the south of Pondwell.*

3. Maintain open views south from Duver Road  
*Preserve sufficient openness along Duver Road to maintain perception of the semi-natural wetland and scrub landscape beyond.*

The scheme would not result in any impact on the open views south from Duver Road, so this point is not discussed further.

- 6.69** The proposed development is located at the very edge of this character area, with the line of development not extending significantly past the built form created by Thornton Manor Drive to the north or Bullen Road to the south. Although the scheme would see part of the valley to the east of Pondwell being developed, the proposed SANG, along the eastern edge of the built form within the development would provide a formally protected corridor which cannot be developed. Furthermore, the scheme would retain the tree cover screens and therefore the rural character would be preserved.
- 6.70** Officers consider that the proposed site and the layout within it minimises development in exposed locations. The site is well screened by tree cover and does not increase the sense of urbanising containment. The open slope referenced relate to viewpoint 8 which, as outlined above would have a low magnitude of impact.
- 6.71** Viewpoints 9 and 11 consider the visual impact from the settlements of Nettlestone and Seaview, where the built form within the proposed developments would remain concealed as a result of intervening landform and vegetation along the ridge at Pondwell, the magnitude of the visual impact from these areas being negligible. In light of this officers consider that the scheme would not result in an unacceptable degree of settlement coalescence and the permanent protection provided by the SANG, which must be provided in perpetuity, would ensure that the existing line of development could not be extended further into the gap.
- 6.72** Officers have given due regard to the potential cumulative impact from the proposed development, together with the approved Pennyfeathers scheme. Although in plan terms the two sites are close, in visual terms they would not be viewed in the same context. The Pennyfeathers development would be highly visible when traveling along Smallbrook Lane and Brading Road. The proposed development would not be visual from these points, due to existing built form. The proposed development would be visible from the viewpoints outlined above, but from these you would not see Pennyfeathers. Even from distanced views the two schemes would not be distinctly visible together to result in cumulative harm. It is acknowledged that the two developments would be visible when traveling through the area, if taking the road network that passes both sites. However, as the proposed development would not result in significant harm to the rural context of these roads, due to its set back behind existing development and the proposed intervening space form by the SANG, the two developments together would not result in the appearance of urban sprawl.
- 6.73** In conclusion officers agree with the conclusions of the submitted Visual Impact Assessment and the relevant chapter of the ES, that the proposed development would not result in a significant impact on the character of the area and in turn would comply with policies DM2, DM11, DM12 and DM13 of the Island Plan Core Strategy.

### Impact on neighbouring properties

- 6.74** When considering the impact on neighbouring properties the site can be separated into its proposed phases and their boundaries with existing residents. The site shares boundaries with properties in Derwent Drive, Grasmere Avenue, Hope Road and Marlborough Road to the west; Bullen Road and Swaylands Close to the south; and Thornton Close and Thornton Manor Drive to the east.
- 6.75** Examining the proposed layout logically, from north to south, phase A would sit between properties in Grasmere Avenue to the west and Thornton Close and Thornton Manor Drive to the east. The majority of the western boundary of the site would follow a proposed area of public open space, with the exception of a pair of units, to the front (Appley Road) of the site, which would share a boundary with 1 (partly), 3 and 5 Grasmere Avenue, 15 and 17 Grasmere Avenue and Trucast Ltd.
- 6.76** The proposed semi-detached unit adjacent to 1, 3, and 5 Grasmere Avenue has been designed so that only one of the pair would be situated alongside this boundary. The propose unit would be positioned approximately 19 metres from the rear elevation of no. 3 and 5.3 metres from its boundary with the site. The design of this unit would result in the side elevation facing this boundary, which would incorporate one small first floor window, serving a bathroom (thus being obscure glazed). The distance together with the orientation and design of the unit, would ensure that there would be no impact from overlooking or over dominance on these exiting properties. The car parking for the proposed pair would be located to the rear of no. 5, however, considering the space available for landscaping along the shared boundary, officers do not consider that cars in this position, associated with two residential properties would be harmful. The presence of a large boundary wall, along part of this boundary with the properties in Grasmere Avenue would further reduce any impact.
- 6.77** The public open space running along the majority of this boundary would be publicly accessible. However, detailed discussions have taken place between the Crime Prevention Design Advisor and the applicant, to ensure that the boundary treatment in this area would be suitable to ensure that there would not be an unacceptable impact on security, from the opening up of this boundary. Officers are satisfied that the noise associated with this use of this space would not result in significant harm to residential amenity, as areas of open space such as the scale of this one are common within residential areas and are considered to be compatible with a residential use.
- 6.78** The proposed car park for the commercial building would share a boundary with 15 and 17 Grasmere Avenue. These existing properties are angled to the site and approximately 30 metres from the first car parking space. This distance is considered to be more than adequate to ensure that there would be no impact from the use of this area. It is acknowledged that these spaces would have car port structures above them, to allow for solar panel of the charging of electric vehicles. However, these structures are small scale and open sided so would not cause any over-dominance or harm.



- 6.79** The commercial building within this phase shares a boundary with Trucast Ltd. a company which manufactures high-precision alloy components. In the instance of this relationship, it is more likely for the factory to impact on the development, opposed to the development impacting on the factory. This relationship however must be taken into consideration, as it is important that nothing is placed on site that could prejudice the ability of this existing business to go about its activities. This is one of the reasons a commercial building has been proposed on this part of the site, and not residential properties. It is however noted that Trucast is located via a residential area and has residential development on all of its other boundaries. It is therefore considered that the uses are not entirely incompatible.
- 6.80** There are a number of trees along this boundary, which provide a degree of visual screening and noise attenuation. The proposed building would only be positioned at the end of the elevation of one of the Trucast buildings and officers are therefore satisfied that this relationship would be acceptable, and the two uses would not have an unacceptable impact on each other. It is also noted that no concerns have been expressed by the Council's Environmental Health team.
- 6.81** Turning to the eastern boundary of phase A, the proposed layout has positioned a multiuser route and road along this boundary, to set the built form back from the boundary between 15.2 and 27 metres. This factor, together with the existing large scale brick wall the delineates part of this boundary, the design of the units, containing obscure glazing to first floor windows facing this boundary, would ensure that there would be no over-dominance or overlooking as a result of the proposed development. It is noted that the existing property known as The Coach House sits directly on the shared boundary, but the positioning of the proposed road, parking and landscaping are considered to ensure that there would not be an unacceptable impact on the amenities of this property.
- 6.82** As with the open space on the opposite boundary, consideration has been given to the landscaping of this route to ensure that there would not be an unacceptable impact on neighbouring properties.
- 6.83** It is acknowledged that the presence of a road, dwellings or open space would change the relationship of the neighbouring properties with the site, which is currently an open field, increasing built form and activity and therefore noise. However, the proposed uses are compatible, being mainly residential and are therefore not considered to be unacceptable.
- 6.84** Moving to Phase B, the proposed development would see properties to the south of Trucast and to the east of properties fronting Hope Road. The boundary with Trucast is heavily treed and officers are satisfied that this, and the distances between buildings, would ensure no unacceptable impacts.
- 6.85** A 5-metre landscape buffer is proposed along the boundary with 26 Hope Road. This together with the proposed layout would see units between approximately 7 metres (side to side) and 17 metres (side to rear). These distances are considered to be acceptable to ensure that there would be no unacceptable overlooking or over-dominance.

- 6.86** The existing farmhouse would be retained with a large amenity area to the front. Proposed units would be positioned to the east of the farmhouse, but these would not have a significantly greater impact than the existing farm buildings, in respect of dominance. The layout of the proposed units would ensure that no unacceptable overlooking would result.
- 6.87** Returning to the eastern boundary; two units within phase B would share a boundary with properties in Thornton Manor Drive. There is significant landscaping along this section of the boundary and there would be a minimum distance of approximately 34 metres between the proposed and existing units, and this would ensure that there would be no unacceptable impacts on these properties.
- 6.88** Phase C and D do not share a boundary with any existing properties.
- 6.89** Phase E would share a boundary with 'Phase 1', the approved development off Hope Road. The layout has been designed to appear as one development when complete, with open space and access roads between the two, which would ensure that there would be no unacceptable impacts on the resultant residents of this development.
- 6.90** Phase F would share a boundary with properties in phase 1 and Marlborough Road. The existing properties in Marlborough Road are over 80 metres from the proposed dwelling, with significant trees within this area. These trees are protected by a Tree Preservation Order (TPO) Group designation and would therefore be protected from future loss. These factors would ensure that there would be no overlooking or over-dominance to the existing properties or their immediate amenity areas.
- 6.91** Phase G would share a boundary with properties fronting Marlborough Road and Bullen Road. As with phase F, there is a significant distance (over 60 metres) between the existing and proposed units, together with a line of trees and a proposed 5-metre-wide planted 'buffer'. These factors would ensure that the proposed development would not have any unacceptable impacts on the amenities of the existing properties on Marlborough Road. The relationship with dwellings on Bullen Road is closer, measuring a minimum of approximately 27 metres. However, due to the limited existing natural screening along this boundary the layout positions bungalows only along this boundary. This together with the proposed 5 metre planted buffer, would ensure that the proposed development would not have an unacceptable impact from dominance or overlooking on these existing residents.
- 6.92** The proposed changes to the Coach House would sit within this phase. As the property is currently residential, the amendments to provide two units within the footprint, opposed to the existing single property, would not result in any greater impact to existing neighbouring properties.
- 6.93** Phase H would also share a boundary with Bullen Road and the layout would again place only bungalows within this part of the site. This together with the distance between buildings of around 28 metres and the orientation of the units, would ensure that there would again be an acceptable relationship with the neighbouring properties along this boundary. Distances to the new housing within Swaylands Close would be even further away, reducing any impact further.

- 6.94** Phase J would not share a boundary with any existing residential properties. (please note that there is no phase I).
- 6.95** The remaining boundaries of the built form proposed on site would be shared with either the proposed SANG or open fields.
- 6.96** The proposal also includes the addition of a footpath between Marlborough Road and site, to provide a more direct link to the bus stops in Marlborough Road. The existing garage to 125 Marlborough Road would be removed to provide the space to form this route. This would be a wide route, which would minimise the impact on the neighbouring residential properties and would present an enhancement to pedestrian connectivity from the site, as well as to the for existing residents to access the open spaces etc. on site. On balance these are considered to outweigh the potential impacts on the residents of the immediate neighbouring properties.
- 6.97** The above has considered the potential impact of the built form itself on the amenities of neighbouring properties. It is acknowledged that there would also be a general increase in noise associated with additional residential development in this location, as well as traffic movement (discussed in the highway section) and associated air quality from construction and an increase in traffic (discussed in the relevant section below). However, in respect of the matter of noise and general outlook, housing which currently looks out over fields would look over housing (see landscape and visual amenity section above). This change would be notable and different, but not harmful in planning terms. The fact that there are residential properties on the boundaries of the site reaffirm that the site is located within a residential area, in which further development would be considered to be acceptable in principle.
- 6.98** The application is therefore not considered to have an unacceptable impact on neighbouring properties or result in incompatible uses adjacent to each other in accordance with policy DM2 of the Island Plan Core Strategy.

### Ecology and trees

#### *Ecology*

- 6.99** The application site is a working farm, and as such it is comprised mainly of a number of improved grassland fields. As a result, the fields consist of a similar make-up of species, which does not have significant ecological value.
- 6.100** Chapter 5, Ecology and Nature Conservation of the submitted Environmental Statement provides an assessment of impacts to protected species and habitats. A Preliminary Ecological Appraisal was completed in 2015 and informed further surveys completed in the years to 2019. The results of these show that there are limited numbers of protected species on the site with no badgers, great crested newts or reptiles identified. Dormice were identified in the 2015 survey but not in the 2019 survey, nonetheless, the report has considered them to be present for completeness. Two red squirrels were seen on site during the surveys, although no drays were identified. Bats were observed, although these were mainly common

species. It is acknowledged that some species are on site and could be impacted upon. The assessment includes a suite of avoidance, mitigation and compensation measures which would need securing in full, if permission was granted. Generally, these include:

- Construction Environment Management Plan to be submitted and adopted as part of the project. This would detail mitigation for construction impacts on retained ecological features, including timing of works, licensed activities (for dormice and bats in particular) and sensitive vegetation removal and demolition methods.
- Biodiversity Mitigation Plan to show ecological features retained and the measures to avoid impacts, ecological features lost, details of replacement features (i.e. Bat/bird boxes), monitoring of these, long- and short-term management plans for biodiversity and details of habitat enhancement.
- Measures already detailed to eradicate invasive plants, specifically three-cornered garlic which is abundant in some parts of the site but would need monitoring once works completed.
- An Open Space Management Plan for recreational use as a result of new residency onsite.
- Landscaping plans to include mitigation and enhancement planting.

**6.101** Subject to a condition in respect of the above suite of measures officers are satisfied that the proposed development would not have an unacceptable impact on the habitat of protected species or flora and fauna on site.

**6.102** As well as the on-site ecological features the site is located within the Solent Protection Area (SPA) Buffer Zone. Natural England advise that within these areas, without suitable mitigation, recreational disturbance associated with new planned housing and tourism growth in-combination will result in adverse impacts on the special features of the Solent and Southampton Water SPA. Development of new residential properties can lead to an increase in the recreational use of the coast. This has the potential to cause detrimental impacts on the overwintering bird populations (non-breeding) which are protected features of the Solent and Southampton Water SPA.

**6.103** The proposed development would result in an increased population in the Ryde area and accessibility to natural greenspace is identified within the Solent Recreation Mitigation Strategy (SRMS) as an issue, because of the population and sensitivities of the coast in this location. Therefore, Natural England advise that more open space would provide mitigation for this. The application therefore provides 10 hectares of Suitable Alternative Natural Greenspace (SANG).

**6.104** The SANG provides an informal landscaped space using existing topography, natural depressions and a stream corridor. Planting would include a new wildflower meadow and woodland as well as more formal areas including a secure dog training area, water tap, refuse bins, benches and interpretation panels. Parking and a café has been proposed within the SANG for residents and visitors, with the aim of increasing recreational use at the SANG as an alternative to using Ryde Sands. The SANG would be secured in perpetuity through the Section 106 agreement, more details of which are outlined in the conclusion section of this report.

- 6.105** Since the submission of the application the Government have announced a new Environmental Bill, which will seek to require all developments to provide biodiversity net gain. This Bill has not yet been made, and there is no firm figure in respect of what percentage of gain will be required. However, it is considered that it will be around 10%. Although such a requirement and specific figure is not yet formalised, the need for biodiversity net gain is still a material consideration, but this could equate to 1%. Officers have sought details from the applicant to establish what percentage gain the scheme would achieve. The Natural England matrix has been used to establish this figure which would see a biodiversity net gain as a result of the development of +17.17%. It should also be noted that the calculator does not allow for 'hard' ecological enhancements to be factored in, such as bat and bird boxes, bat lofts or reptile refugia. It is therefore considered that should these have been considered the percentage would be even greater. The application would also result in a reduction in nitrates into the Solent SPA (discussed in more detail below), which would represent a further enhancement. The proposed development is therefore considered to represent a considerable net gain in biodiversity.
- 6.106** Further to the issues associated with recreational pressure, recent evidence gathered from Bird Aware Solent highlights the vulnerabilities of Ryde Sands SSSI which underpins this part of the SPA. Natural England advise that development of 473 (net gain of 472) houses up to 400m (at the closest point) away from the sensitive site means there would be a likely alone impact. In addition, there would be an in-combination impact as a result of increased development around the Solent. It is therefore the view that as well as the provision of the SANG a contribution to the Bird Aware Solent Mitigation Project, in line with the relevant SPD should be secured for the in-combination impacts, and that the SANG should be secured to address alone impacts. This has been agreed with the applicant and would also be secured through the Section 106 Agreement.
- 6.107** Natural England also advise that uncertainty around whether new development associated with over-night accommodation would further deteriorate the condition of the marine designated sites within the Solent area through impacts to water quality. There are high levels of nitrogen and phosphorus input to this water environment with sound evidence that these nutrients are causing eutrophication at the marine designated sites. These nutrient inputs currently mostly come either from agricultural sources or from wastewater from existing housing and other development.
- 6.108** To address the uncertainty Natural England have set out a methodology and approach for mitigation to ensure new development achieves nutrient neutrality. Foul water as a result of the development would be treated at the Sandown Waste Treatment Works which does not impact directly or indirectly on any of the Solent designations. Therefore, Natural England agree that impacts of nitrates are not relevant in these circumstances.
- 6.109** A concern has been raised by the Local Member that the application would result in an increase in nitrates. However, Natural England's average nitrate-nitrogen loss per farm type sets out that dairy farms would generate the third highest kg/ha after pig and poultry, at 36.2kg's p/ha per annum. The proposed SANG and areas of Public Open Space would generate a saving (*based on the new land typology at 5kg's p/ha*

*per annum) of 31.2kg's p/ha per annum; or 499.2 kg's per annum covering the 16ha.* The urban development (which includes 'built form, gardens, roads, verges and small area of open space within the urban fabric) would generate a saving of 36.2kg's p/ha per annum; equating to a zero-nutrient level as the waste water is not directed to the Solent. In total, this would lead to a saving of 796.4kg'S P/ha per annum. This is a significant reduction not an increase as suggested.

- 6.110** As well as the Solent and Southampton SPA the site is adjacent to two Sites of Importance for Nature Conservation (SINC) that are identified as sensitive receptors as a result of the proposals. There is currently no access to Cothey Bottom Copse SINC, but it is proposed to include a permissive right of way through the woodland to create links to the surrounding network. Introduced human disturbance at the site may cause impact to the site but it is considered that this could be offset through better habitat management to provide environmental gains. Discussions have taken place with the Council's Ecology Officer in respect of the mitigation to reduce disturbance, including a restriction on lights, fencing of the route to ensure people do not stray into the woods, signage to educate users and the adoption of the route by the PROW team, to ensure that it is appropriately managed and maintained in the future. This mitigation would ensure that there would not be an unacceptable impact on the SINC and could be secured by condition.
- 6.111** Bullen Cross Wood SINC directly abuts the proposed SANG and may receive disturbance because of its proximity. There is currently no public access to this site and formalised accessed is not proposed. However, the ecological assessment identifies potential for impact through increased recreational activity in the area. Therefore, future plans seek to alleviate pressure through screen planting, signage and public awareness.
- 6.112** Chapter 8, Air Quality Impact Assessment shows through evidence and modelling that no significant increases in dust particles or nitrate oxides would occur as a result of construction activities, or from traffic as a result of residency at the site. Modelling shows impacts to the local network and does not assess wider impacts at sensitive habitats further away from the development. That being said the application proposes mitigation to minimise the impact of dust resulting from the proposed construction process. The Council's ecology officer has confirmed that, on the proviso that impacts locally are ruled out it is assumed that impacts to Briddlesford Copse SAC, more than 4km from the site, are also ruled out. On this basis, the potential impact from dust is considered to be acceptable, subject to the mitigation measures set out within the air quality section of the environmental statement.
- 6.113** Concerns have been raised with regards to the impact on protected species, especially dormice from domestic cats, which would be introduced to the site. It is firstly noted, as outlined above, there is limited evidence of dormice on site in the last survey, nonetheless the mitigation has been designed to take account of the findings of the 2015 survey, which identified small numbers to be present. It is therefore proposed that a 5m buffer protects all hedgerows onsite to ensure dormouse protection. Plans include supplementary planting to increase habitat for this species and protect them from cat predation which is likely to increase as a result of the proposals. In some cases buffers are sought to be wider at between 8

and 10 metres, however, the ecology officer has raised no objections to these measures in principle because of the proposed planting within the buffer, but requests that suitable planting is detailed within the biodiversity mitigation plan and that long-term management of the hedgerows is secured. It is also likely that monitoring would be necessary through protected species licensing and we should also secure this through conditions.

- 6.114** Having regard to the above it is considered by officers that the proposed development would not result in any unacceptable impacts on protected habitats or species and would result in +17.17% biodiversity enhancement.

#### *Trees*

- 6.115** There are many trees situated across the proposed development site. These include large individual trees grown in the hedgerows of the fields or individual trees that would have been part of a hedgerow until its removal in the past to make the field larger. There are also several woodland areas and copses of mixed species which add to the rural character. Whilst none of the woodlands on the site are ancient, they do have age and feature mature trees in their makeup. It is noted that there are Ancient Semi Natural Woodlands to the south and east of the development site which could be impacted upon to varying degrees. The trees have been extensively surveyed and show that trees across the site range from “C” to “A” grade. It should be noted that their worth is not only seen as individual trees, but also collectively and landscape features reflecting the rural nature of the surrounding environments giving them “B2” status. This is also true of the woodlands across the site that would also be worthy of a “B2” classification using the BS5837 grading system. Several of the trees can also be considered as veterans and as such be graded as “A3” trees, and as such important to the landscape not just as arboreal features but have considerable nature conservation value.
- 6.116** The proposed development would result a limited amount of tree removal. A total of seven individual trees would be removed (2 x grade A, 2 x grade B and 3x grade C). A further seven grade U trees would also be removed, to facilitate the pedestrian link to Marlborough Road. These include two apple trees, a dead oak, three ash and another dead tree which has not been identified. The tree officer has confirmed that the loss of “U” grade trees should not be a material consideration in a development as it would be reasonable land management to remove them irrespective of the development. It would also be hard to prevent as they would not be worthy of a TPO due to their limited life expectancy.
- 6.117** Together with the above two small tree groups (category C) and two small sections of woodland (1 x Category B and 1 x Category A) also require removal to facilitate the development.
- 6.118** The tree officer has commented that the layout of the development has taken great care not to impact on the remaining trees by locating structure out of their Root Protection Areas (RPA) and positioning the road network etc away from trees. The design has also taken care to incorporate several trees and features within the landscape of the development which would help to blend the development into the area and give the site an aspect of age.

- 6.119** The veteran trees identified in the report have been given due consideration by ensuring that there is at least a 15-metre buffer zone round the tree. This would reduce the impact the development may have on it. It is recognised that by introducing a development of this size and scale around the trees would increase potential footfall etc and in doing so cause greater impact than what is currently experienced, but appropriate management and monitoring can mitigate against this.
- 6.120** The report details how impact would be reduced across that site by using such methods as no dig solutions and cellular confinement systems for car parking areas where they cross RPAs. It also details fencing, ground protection etc to be used during the construction phases. Whilst this is good and would help to ensure the trees health and amenity would be retained this information does not work as a working arboreal method statement to be used around the site and inform operatives of the precautions to be taken. As such if permission is to be given the tree officer considers it would be necessary that a bespoke method statement be drawn up and given the scale of the site monitoring of arboreal impact was carried out regularly. This could be secured by way of a condition.
- 6.121** In light of the above, the tree officer raises no objection in respect of the direct impact on trees but highlights the potential for greater loss of trees in the future due to unacceptable shade levels to the certain new properties, specifically those units to the north of W3 (located on the edge of phases F and G, to the rear of properties fronting Marlborough Road). The concern is that shade could lead to future pressure to have the woodland reduced in size, to remove the trees from the outer edge. It is acknowledged that some of these outer trees are ash trees and as such have a potential short life expectancy due to *Hymenoscyphus fraxineus* (ash die back) and as such could be lost in the near future and as a result of their loss there would be a reduction the shade potential. However, if trees do have to be removed due to ash die-back they should be replaced.
- 6.122** Officers have considered these concerns and the design and orientation of the units adjacent to this woodland. Firstly, should trees need to be removed due to ash die back officers consider it would be reasonable to replant these elsewhere on site, as opposed to the same position as they are removed, thus significantly reducing the impact from shade to the properties in question and reducing the pressure for other trees within the woodland to be removed. Furthermore, although it is acknowledged that there would be shading to a number of units, the trees are deciduous, and the impact would therefore be lessened in the winter (although the density of the branches would still see some impact). The submitted shade information has therefore assessed the 'worst case scenario' in October. That being said, at the request of officers, two units which would have been entirely in shade have been removed, in order to reduce the impact from shade and the potential for future pressure.
- 6.123** The design and orientation is also a key consideration to this impact, as the majority of units that would be impacted upon would be one bedroom 'back-to-back' houses, which in effect are vertically divided flats, but due to the design give residents their own front door. Aside from a small area of defendable space at the front, these units do not have gardens, providing market choice, but also reducing the impact from



shade of external areas. Anyone purchasing these units would be aware of the presence of the trees and may indeed provide a selling point. Providing these trees are incorporated into a management plan for the maintenance of trees on the site as a whole, officers are comfortable, on balance that the shading to a small number of units would not be unacceptable.

- 6.124** The application would therefore be acceptable in respect of trees and ecology complying with policies SP5, DM2 and DM12 of the Island Plan Core Strategy.

#### Highway Consideration

- 6.125** The proposed development can be separated into various different elements when considering the highway considerations. These include the proposed changes to the wider highway network, the proposed changes to facilitate the proposed accesses, the internal road network and the proposed sustainable route links/ enhancements.

- 6.126** The proposed layout includes for:

- Three points of motorised vehicular access, Bullen Road, Appley Road and Hope Road. The Bullen Road and Appley Road accesses taking the form of priority junctions with associated accessibility improvements and the Hope Road access (on the western side of the site) being a continuation of Lime Tree Way that is currently under construction.
- A spine road running north to south through the site with a network of minor roads and footways leading off of it.
- A shared use route for pedestrians and cyclists (3.0m wide) running adjacent to the proposed spine road (north to south) with linkages to the proposed Multi User Public Rights of Way routes and through to Hope Road (westerly) and Calthorpe Road (easterly) via the proposed SANG.
- Three multiuser Public Rights of Way links to maximise accessibility and promote sustainable travel:
  - Access to and from the west via a route through land at 125 Marlborough Road, which includes for the remodelling of the existing vehicle access arrangements serving this property
  - Access to and from the south through to Westridge via a route through Cothey Bottom Copse
  - Access to and from the west to provide onward linkage to public right of way R60

- 6.127** Provision is also made for:

- Offsite pedestrian improvements within Bullen Road, Marlborough Road and Appley Road.
- Bus stop improvements on Appley Road to the west of the proposed northern site access.
- Pedestrian crossing improvement on the eastern approach arm of the Appley Road / Marlborough Road Mini Roundabout.
- A zebra crossing on Marlborough Road to provide onward safe linkage from the proposed multi-user route detailed to run adjacent to 125 Marlborough Road.
- Offsite junction improvements to mitigate the impact of development traffic on

the local highway network (Westridge Cross signalised junction and the Great Preston Road / Smallbrook Lane priority junction) are also proposed (Section 106 contributions).

*Proposed junction onto Appley Road Junction and Associated Works*

**6.128** In response to the design issues raised by Island Roads in respect to the potential for conflict between pedestrians and cyclist to safety access / egress the shared use route onto the local highway on the eastern side of the proposed junction onto Appley Road, revised plans have been submitted making the following amendments;

- the multi-user link on the eastern side of the junction adjacent to Appley Road has been further extended to the east so that the access / egress point for cyclists does not conflict with the uncontrolled pedestrian crossing point. This provides for a 3.0m wide route into and out of the site.
- Provision has been made for a 43.0m junction visibility splay reflective of the 30mph speed limit in which it is set to ensure that an adequate level of inter-visibility is provided between motorist and cyclists. This splay also further assists pedestrians who may choose to utilise the uncontrolled pedestrian crossing to the west of cycle access point.

**6.129** The Highway Engineer has confirmed that the works as detailed below are deemed to be reflective of highway design standards as applicable within a 30mph environment and are deemed to be appropriate and essential in order to accommodate the level of daily pedestrian and vehicular traffic movements anticipated to be attributable to the development on this part of the highway network, subject to further detailed design as part of the highway Section 38 / 278 process, which should be conditioned accordingly to include for:

- A 2.0m wide footway running along the southern side of Appley Road in a westerly direction from the proposed share user route through to the junction with Grasmere Avenue.
- An uncontrolled pedestrian crossing at the Grasmere Avenue / Appley Road junction to provide connectivity through to the existing bus stop.
- The upgrading of the existing bus stop to the east of the Grasmere Avenue junction (kerbing works and a new shelter).
- A 2.0m wide footway running along the southern side of Appley Road in a easterly direction through to a point opposite public right of way R107 at which point and uncontrolled pedestrian crossing point is to be provided with the roadside frontage of the site (hedgerow) being remodelled to provide the required level of pedestrian visibility in order to maximise safety.
- On the northern side of Appley Road the existing footways at the junctions of Marina Avenue with Seldon Avenue and Appley Road respectively are to be remodelled to provide for new pedestrian links and uncontrolled pedestrian crossing facilities. As part of these works a zebra crossing would be provided on Appley Road to the east of the Marina Avenue junction. These works would result in the need to remove a proportion of the low-level wall that currently runs adjacent to the northern side of Appley Road and an area of existing landscaping and a number of mature trees. In addition, there would be a need to reposition existing street furniture and street lighting apparatus.
- To the west of the Marina Avenue / Appley Road junction the existing bus stop

is to be repositioned and a new footway link and a shelter are to be provided. The footway link will run through the existing landscaped area located opposite the frontage of No. 19 Seldon Avenue resulting in the need to remove the existing treeline (as detailed in the visual impact and tree sections above). It is also anticipated that a retaining wall will need to be provided at back edge of the proposed footway to accommodate the existing level difference.

**6.130** In addition, to the formation of a junction onto Appley Road and in order to maximise highway safety and connectivity to the wider network, to the north / northwest of the site further improvements are proposed at the junction of Appley Road with Marlborough Road. These include for the remodelling of the eastern arm of the mini roundabout and associated traffic island and footways to improve pedestrian safety by:

- Increasing the width of the existing traffic island
- Realigning the southern kerb line and widening the footway to maximise pedestrian / motorist inter-visibility while at the same time ensuring that junction capacity and the ability of all forms of vehicles to travel through the junction is not compromised
- Site evaluation has also identified that if approved the works would need to include for the remodelling / repositioning of the existing highway surface water gullies on the approach to the junction in order to accommodate the proposed kerbing works

**6.131** The proposed improvements are deemed to be acceptable from a highway safety and design standard.

*Proposed junction onto Bullen Road Junction and Associated Works*

**6.132** This junction is detailed to be provided to the east of Cothey Way and includes for the remodelling of the existing property known as 'The Coach House'. As with the junction detailed to be formed onto Appley Road, this access takes the form of a conventional priority junction. 2.0m wide footways are shown to run around the radii into the site. The layout also includes for a localised carriageway narrowing and the provision of a priority flow system within Bullen Road in order to provide footway linkage between the site and Cothey Way. The proposed layout also provides connectivity for pedestrians to a 3.0m wide multi-user route detailed to be provided on the southern side of Bullen Road through Cothey Bottom Copse to Westridge and Tesco Superstore to the south.

**6.133** The layout not only provides a suitable means of motor vehicular and pedestrian access / egress to the site but it also provides an element of betterment to the existing vehicle accesses serving 'The Coach House' and the adjacent properties which are currently limited in respect to visibility.

**6.134** It is noted that reference is made within the submission to the need to accommodate the existing highway surface water system on the southern side of Bullen Road. However, site inspection has also identified that there would be a need to form a retaining wall within the existing verge on the southern side of the road in order to accommodate the proposed footway along with relocation of existing service poles

and street lighting columns on either side of the road. These matters could be covered within the detailed design stage as part of the required highway agreement. However, as it is currently not intended to remove any of the trees along the route of this footway, but simply clip sections of the hedge, and prune, officers consider it would be reasonable to include a condition with regards to measures to ensure that the detailed design is produced prior to work commencing on site, to ensure that no trees within the Ancient Woodland are impacted upon. As outlined above, much of the footpath would be accommodated by way of localised carriageway narrowing and the provision of a priority flow system, it is therefore possible that any additional tree loss would be limited to an Ash, outside of the Ancient Woodland, but officers wish to be cautious, as no tree loss within the Ancient Woodland would be acceptable.

**6.135** In response to the concerns raised by Island Roads in respect to the ability of cyclists to safety access / egress the site onto the local highway from Bullen Road, revised plans have been submitted including the following amendments:

- A raised plateau is shown to be provided on the spine road to the south of the proposed junction of the vehicle access now shown to serve plots G66 and G65.
- The driveway serving plots G65 and G66 is no longer shown to operate as a multiuser route minimising the risk of conflict between pedestrians, motorists, and cyclists.
- The footway adjacent to the uncontrolled crossing point / buildout on the northern side of Bullen Road is shown to be increased to 3.0m in width to accommodate pedestrians and cyclists so that it operates a shared used multi user route, with it returning into the site and linking up with the raised plateau on the spine road. At the detailed design stage there is scope for the access / egress point for pedestrians and cyclists on the buildout to be further remodelled.
- The vehicle access previously shown to be provided immediately adjacent to the Bullen Road buildout and serving plot G66 is to be closed.
- The footway on the southern side of Bullen Road shown to link the uncontrolled crossing point to the multi-user route through 'Cothey Bottom Copse' has been increased in width to a minimum of 2.5m and a 43.0m junction visibility splay has now been provided.

The access arrangements from Bullen Road for all user groups are now considered to be acceptable from a highway safety and design perspective.

#### *Proposed junction onto Hope Road*

**6.136** The proposed access onto Hope Road, which is currently being formed as part of Phase 1 of the development approved in association with planning application P/00760/16, is detailed to be continued into the site tying into the proposed onsite spine road as part of Phase B (effectively being a continuation of what is now recorded as Lime Tree Way). The route would provide for a 5.5m wide carriageway with a 2.0m wide footway on its southern side and a 3.0m wide route on the northern side.

**6.137** It is acknowledged that when reviewing the highways aspects of the application

attributable to the construction of Lime Tree Way (P/00760/16), Island Roads raised concern in respect to passing provision and forward visibility on Circular Road and Hope Road. Site inspection has identified that the Traffic Regulation Orders required as part of the Lime Tree Way consent have been implemented providing suitable space for the passing of motor vehicles on Hope Road and about its junction with Marlborough Road.

#### *Onsite Road Network*

- 6.138** The onsite highway layout and its junctions with the public highway now provide for an acceptable 3.0m wide shared use / multi-user route adjacent to the spine road along its entire length which also provides connectivity to the proposed doctors surgery and offices. These routes are not only seen to benefit potential residents of the site but to also provide alternative routes for the general public. In summary they include for the following:
- shared use route for pedestrians and cyclists (3.0m wide) running adjacent to the proposed spine road (north to south) with linkages to the proposed Multiuser Public Rights of Way routes and through to Hope Road (westerly) and Calthorpe Road (easterly) via the proposed SANG.
  - Three multiuser Public Rights of Way links to maximise accessibility and promote sustainable travel:
    - Access to and from the west via a route through land at 125 Marlborough Road, which includes for the remodelling of the existing vehicle access arrangements serving this property.
    - Access to and from the south through to Westridge via a route through Cothey Bottom Copse
    - Access to and from the west to provide onward linkage to public right of way R60
- 6.139** It is noted that Drawing No. 19-1000-SP04 Rev N – ‘Development Plan’ makes reference to a 3.0m wide multiuser pathway running to the south – southwest through to R60. However, where shown to connect into the SANG the path only scales to be 2.0m wide. In order to accommodate all users a clear width of 3.0m is needed. However, when considering the land shown to fall within the control of the applicant and the proposed open nature of the area in question (pathway passing through the SANG) Island Roads have confirmed that they are satisfied that this aspect could be covered by condition if approval was to be granted.
- 6.140** The spine road running through the site provides for an average width of 5.5m at its southern extent (junction with Bullen Road) and 6.10m at the northern extent (junction with Appley Road). Within Phase E of the Development Plan the spine road is shown to reduce down to a single carriageway working so as to promote low traffic speeds and to discourage rat running through the site.
- 6.141** The submitted technical note has confirmed that where the shared use route is shown to cross the spine road raised plateaus would be provided to ensure pedestrians and cyclists may continue at level and motorists are forced to slow. It has also been confirmed that where side roads are shown to adjoin the spine road

tactile and corduroy dropped crossing points would be provided for pedestrians and cyclists. When considering the frequency of junctions and shared use crossing points shown on the spine road Island Roads consider a better approach would be to introduce raised plateaus at the junctions to control motorised vehicle speeds and aid the passage of pedestrians and cyclists. However, they have confirmed that this could be addressed at the detailed highway design stage, should the application be approved. It is also acknowledged that the technical note now gives some clarity in respect of the form of the proposed pedestrian crossing points shown to be provided throughout the minor road network across the site, with uncontrolled dropped crossing being provided as opposed to raised crossing. This approach is supported by Island Roads, so as to ensure that footway users can safely exit the carriageway where segregated road / footway layouts are proposed.

- 6.142** For completeness the Highway Engineer has evaluated the revised onsite layouts and associated swept path drawings and is now satisfied that suitable emergency service and service vehicle access maybe achieved.

#### *Parking Provision*

- 6.143** Island Roads have confirmed that they consider the proposed level of onsite parking to be acceptable. It is acknowledged that when considering the requirements of Table 1 of the Guidelines for Parking Provision as Part of New Developments SPD, there is an over provision in respect to the allocation of parking for some of the dwellings, with provision also being made for elements of additional visitors parking.
- 6.144** However, it is anticipated that when considering the pedestrian, cycle, bus stop and public rights of way linkages that are proposed as part of the development, residents would be afforded with a range of choices so as not to be dependent on private motor vehicles. It is also anticipated that the level of parking provision would not necessarily encourage greater car ownership but seek to minimise the need and likelihood of on-street parking so as to provide for a safer environment for site users and aid the passage of pedestrians, cyclist and service vehicles.
- 6.145** Secure cycle parking is shown to be provided within the curtilage of each property (oversized garage / garden) and for communal parking areas (apartments), bicycle stores would be provided. In addition, the submission includes for a comprehensive Residential Travel Plan that includes for a number of incentives and initiatives to promote sustainable travel in an attempt to reduce the dependence on the private motor vehicle, this is discussed in more detail in paragraph 6.162 below.
- 6.146** The highway engineer has also confirmed that Island Roads are satisfied that adequate provision is made for both the storage of refuse and for service vehicles to access / egress/ circulate and turn throughout the site. It is however acknowledged that access to some areas of the site would be subject to the roads being free from on-street parking, and in order to avoid over dominance by private motor vehicles, it is recommended that should this application be approved the need for on-street parking restrictions or not, as the case may be, should be further evaluated at the detailed design/delivery stage. The theory being that Traffic Regulation Orders attributable to on-street parking and access issues should be installed in response to need and clearly evident highway safety issues as opposed to perceived problems.

### *Capacity / Traffic Impact*

- 6.147** As detailed within paragraph 1.24 of the Transport Assessment various junction capacity assessments have been undertaken and these indicate that periods of congestion may occur during peak periods as a result of the traffic flows attributable to the development. As part of the initial comments returned by Island Roads a request was made seeking further justification as to how the applicant had derived the proposed trigger point for offsite highway improvements at the Westridge Cross and Great Preston Road / Smallbrook Lane junctions.
- 6.148** As a result, the applicant has provided further junction assessment data, giving rise to a trigger point of 100 dwellings prior to works being implemented at the Great Preston Road / Smallbrook Lane junction and 375 dwellings prior to works being carried out at Westridge Cross. While this data is acknowledged when evaluating applications 19/00921/FUL and 19/00922/OUT in relation to development off Nicholson Road, Ryde to the west of this site, Island Roads raised concern and returned a recommendation of refusal in respect to capacity issues associated with the Westridge Cross signalised junction and the junction of Great Preston Road with Smallbrook Lane. Concern was also raised in respect to the Smallbrook Lane / Great Preston Road junction being limited in respect to width and junction visibility. While it is accepted that there may be scope for improvement works being implemented at each of these junctions, this relied on third party land and so its delivery could not be guaranteed.
- 6.149** These concerns are once again highlighted by Island Roads in relation to this application. However, question is now raised in respect to the sustainability of a recommendation of refusal on the grounds of the attributable development based traffic impact on these junctions, when considering the decision made by the LPA in respect to 19/00921/FUL and 19/00922/OUT and the mitigation measures that are proposed as part of this submission.
- 6.150** The above issue was considered in detail as part of the applications referenced by Island Roads. The LPA is conscious that there are a number of other housing developments either consented or proposed in close proximity to the application site and that each of these would result in impacts to various junctions within eastern Ryde. Each development proposes slightly different highway improvement schemes to address their own impacts on the highway network and when these would be delivered, would depend on the phasing of those developments. There is a concern that if this is not managed properly it could result in an incoherent range of works to the highway network. As a result, the Council, in its roles of Highways Authority and Planning Authority, has recently commissioned consultants to undertake a review of junction improvement options for junctions within the Ryde East area, in order to bring about a coherent range of highway improvement schemes to junctions that would be affected by future developments.
- 6.151** The aim is therefore for the Council to adopt suitable junction designs and then lead on the delivery of coherent and holistic junction improvement schemes at an appropriate time. These works would be funded by s.106 monies that have already been collected and future contributions/ direct works from nearby proposed

developments. Work is being progressed on this matter. The outcome of the review would allow the Council to select suitable junction designs that would mitigate the impacts of new developments in the area and attribute costs to individual developments.

- 6.152** As the above approach has been taken in the determination of other applications in the vicinity of this site, it would be unreasonable to take a different approach in respect of this application. It is therefore recommended that a contribution is sought in respect of these wider network improvements, for the Council to use to implement these works, when required.

*Sustainable transport links*

- 6.153** As outlined above, together with the infrastructure to accommodate the additional vehicular traffic the proposed scheme also includes many enhancements and links to pedestrian and cyclist routes, to encourage people out of their cars, as well as links and improvements to public transport.
- 6.154** The highway aspects of the scheme also include for offsite pedestrian improvements within Bullen Road, Marlborough Road and Appley Road and linkage through to Lime Tree Close and Calthorpe Road.
- 6.155** Bullen Road – a footway link is shown to be provided on the southern side of Bullen Road between the access to Cothey Bottom Copse and Cothey Way. These works will however result in the need for the accommodation of the existing highway surface water system, relocation of service poles, street lighting columns and the potential need for retaining structures. It should also be noted that the proposed buildout and priority flow system will offer an element of improvement for users of the existing vehicle accesses that serve the adjacent properties and are currently limited in respect to visibility.
- 6.156** Marlborough Road – Zebra Crossing, Multiuser Link and remodelling of vehicle access arrangements serving No. 125 Marlborough Road as detailed on drawing no. 5622.041 – the existing vehicle access that serves No. 125 Marlborough Road is to be repositioned in order to allow for a 3.0m wide multiuser route to run along the southern boundary of the property and to provide direct connection between Marlborough Road and Phase F of the development. The zebra crossing will provide a safe onward connection to the local footway network. However, there will still be a need for associated drainage and street lighting works and the provision of dropped kerbs for cycle access (all element that could be addressed at the detailed design stage). These works will also ensure that the access and parking arrangements for No. 125 comply with design standards. The current access arrangement is limited in respect to visibility, gate setback and onsite vehicle turning.
- 6.157** Appley Road / Marlborough Rd Mini Roundabout – previous evaluation identified that when crossing south to north on the western approach arm (Appley Road) pedestrian visibility and the traffic island width is limited. Submitted plans now allows for remodelling of this aspect of the junction to address these deficiencies and improve pedestrian safety:



- Increasing the width of the existing traffic island.
- Realigning the southern kerb line and widening the footway to maximise pedestrian / motorist inter-visibility while at the same time ensuring that junction capacity and the ability of all forms of vehicles to travel through the junction is not compromised.

The works would however also result in the need for remodelling / repositioning of the existing highway surface water gullies on the approach to the junction and associated carriageway works (resurfacing / antiskid) in order to accommodate the proposed kerbing works.

- 6.158** Appley Road – as detailed on the submitted drawings, in addition to the proposed priority junction and associated cycle access and multiuser link, the proposal also includes for offsite pedestrian and bus stop improvements. A 2.0m wide footway is shown to be provided on Appley Road running in a westerly direction from the multi-user route through to the junction with Grasmere Avenue. The works also include for associated uncontrolled crossing points, the provision of a zebra crossing and remodelling of the existing bus stops to the east of the Grasmere Avenue junction. The bus stop on the northern side of the road is to be widened and provided with a shelter and associated footway links. These works would provide onward connectivity to the local footway, public rights of way and bus network so as to promote sustainable travel. They would however result in the remodelling of existing highway verges, landscaped areas, and retaining structures (low level wall the runs along the northern side of Appley Road), bring about the potential loss of trees and also bring about the need for associated surface water drainage and street lighting works (these matters could be addressed at the detailed design stage should approval be granted). It is also anticipated that as a result of these improvements there would be a need for additional retaining structures within the public highway on the northern side of Appley Road when considering the levels associated with the existing landscaped area and trees.
- 6.159** Lime Tree Close – this road falls beyond the limit of the public highway but is within the control of the applicant and is detailed to provide connection through to Circular Road, Hope Road and in turn Marlborough Road, Ryde. As detailed on the submitted drawings, Phase B of the proposal provides for both road and multi-user linkage, with the existing footway on the northern side of Lime Tree Way being increased in width.
- 6.160** Calthorpe Road – no detail is provided in respect to this connection other than the fact that submitted drawings allow for a 3.0m wide multiuser connection between the SANG and this part of the highway network. It is anticipated that it would result in the remodelling of the public footway allowing for localised widening (so pedestrians and cyclists can pass) at the junction, visibility splays an associated dropped crossing, signage, lining, paving and drainage works (all subject to detailed design if approved).
- 6.161** Links from the site via new multi-user routes to Public Right of Way (PRoW) R60 to the east of the site and PRoW R107 to the north of the site would also be provided as part of the project, to improve connectivity to the wider countryside. The footpaths proposed as part of the development would be offered for adopted by PRoW to

ensure that they are retained and open to the public in perpetuity.

**6.162** The application details have included a draft Residential Travel Plan (RTP), which includes a package of measure, which seeks to deliver travel behaviour change amongst residents. The RTP includes a number of measures which seek to reduce the reliance on the private car and single occupancy vehicle trips, in place of more sustainable travel modes. These included:

- Route maps to key destinations (such as schools, shops, doctors) to ensure more direct routes are known
- Subsidised cycle vouchers on first occupation
- Information about 'cycle to work' schemes, which provide a tax-free cycle purchase
- Cycle training
- Secure cycle parking
- Subsidised bus travel voucher on first occupation
- Bus route maps and timetables as well as details of mobile app for real-time journey updates
- Rail and ferry timetables and fares
- Details of car share initiatives
- Electric car charging points within the curtilage of dwellings and communal charging points
- Adequate car parking to encourage people to leave their cars at home
- Provision of high-speed broadband to facilitate home working

These measures would be combined with the proposed layout which, as outlined above provides multiuser links to the wider network and public transport infrastructure, while also providing improvements to this.

**6.163** To implement the Travel Plan a Travel Plan Coordinator (TPC) would be appointed, who would be responsible for the implementation and management of the Travel Plan in liaison with the Local Highway Authority. This would form part of the heads of terms for the section 106 agreement.

**6.164** These measures would help to educate and inform home-owners to encourage them to make alternative choices to taking short trips in the car and are considered to be a positive step in promoting sustainable travel options, by removing barriers people may consider to restrict

**6.165** For completeness, the highway engineer has highlighted that the proposed onsite layout does not currently accommodate any bus routes or associated street furniture (onsite bus stops). Based on the content of the Transport Assessment the applicant advises have liaised with the local bus operator they do not wish to divert a service through the site. However, allowance has been made within the design of the onsite spine road and northern and southern junctions to allow for bus access should the development be approved, and a route subsequently be desired / secured. In light of this Island Roads recommended that should this application be approved, via legal agreement the applicant be obligated to continue to liaise with the local bus operator throughout the build process in respect to the provision of a bus route and bring forward additional improvements if required (onsite bus stops). It is noted by officers however, that the inclusion of the Marlborough Road link and the improvements to

provision on Appley Road, sufficient measures are proposed to make existing bus stops accessible and a real alternative.

- 6.166** Having due regard to above the application is therefore considered to be acceptable in respect of highway considerations and comply with policy SP7 and DM2 of the Island Plan Core Strategy.

Drainage and surface water run-off

- 6.167** The drainage scheme for the site ensures that surface water runoff is contained within the drainage network of the site, with no flooding for all storms up to, and including, the 1 in 30-year event. The storage volumes would match and exceed (by 40%) the existing greenfield rate runoff; allowing for an acceptable freeboard and to accommodate for climate change. Surface water would be passed through appropriate interceptors, before being attenuated on site. The scheme would include 12 retention basins, and a swale would also be provided towards the eastern section of the site for further attenuation storage and treatment. Any water that does drain into the existing drainage channel would have been suitably attenuated with discharge restricted to greenfield rate. Therefore, nutrient runoff as a result of development would not be greater than the current levels and therefore ensuring neutrality.
- 6.168** The majority of the site is located in Flood Zone 1, an area of low probability of flooding from rivers and sea (less than 1 in 1,000 annual probability). A small area on the eastern side of the site located in Flood Zone 2 (between 1 in 1,000 – 1 in 100 annual probability) and Flood Zone 3 (1 in 100 annual probability or greater) near a Main River but no units are proposed within these higher risk areas of the site. A number of third-party objections have raised concerns that the Environment Agency have objected to the application. However, following the receipt of additional information the Environment Agency have confirmed that they no longer have an objection in respect of flood risk, subject to conditions.
- 6.169** In light of the above, provision for surface water is considered to be acceptable and would ensure that flood risk is not increased, including the required allowance for climate change.
- 6.170** Southern Water records indicate that there is a sewer located within Hope Road running through the northern section of the site and alongside the site's eastern boundary, as well as Appley Road. Concerns have been raised by third parties that there is insufficient capacity within the local network to accommodate the development, however, the statutory provider has a duty to connect, and any required improvements are a matter for the developer and Southern Water.
- 6.171** It is noted by third parties that the Environment Agency originally objected to the application on flood risk. However, following the submission of revised information this objection was removed and a condition recommended. The application is therefore considered to be acceptable in relation to potential flooding and would comply with policy DM14 of the Island Plan Core Strategy, subject to a condition to ensure that the submitted details are adhered to.

## Air quality, noise and light pollution

- 6.172** A number of concerns have been raised by third parties in respect of air quality, but also in respect of dust from construction and vehicle fumes during and post construction. It is first noted that there are no designated Air Quality Management Areas (AQMAs) on the Island and air quality in the area is considered to be relatively good. Environmental Health have noted that the overall risk from dust during the construction phase is high. The mitigation measures appropriate to a level of risk for the site as a whole and for each of the phases are set out in the Mitigation Measures Adopted as Part of the Project section of Chapter 8: Air Quality, of the Environmental Statement and within Appendix 8.1, Construction Dust Risk Assessment, June 2020. This information considers sensitive receptors to include residential properties (existing and proposed) and schools in close proximity to the site.
- 6.173** Mitigation measures include (but not limited to) the development and implementation of a Dust Management Plan (which would normally include such things as the damping down or covering of areas liable to cause windblown dust in dry weather), daily on and off site inspections to include dust soiling checks of surfaces such as street furniture, cars and window cills within 100 metres of the site boundary, increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions, agree dust deposition, dust flux, or real-time PM<sub>10</sub> continuous monitoring locations, erect solid screens or barriers around dusty activities and plan site layout so that machinery and dust causing activities are located away from receptors as far as possible, install hard surfaced haul routes, which are regularly damped down with fixed or mobile sprinkler systems, or mobile water bowsers and regularly cleaned and the implementation of a wheel washing system.
- 6.174** The submitted information also considered the impact from operating vehicles and machinery and proposed further measures to deal with the potential impact from this, including (but not limited to) no idling vehicles (requiring engines to be switched off when stationary), only use cutting, grinding or sawing equipment fitted in conjunction with suitable dust suppression techniques such as water sprays or local extraction, ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate and use enclosed chutes, conveyors and covered skips, where practicable.
- 6.175** The submitted details conclude that impacts during construction, such as dust generation and plant vehicle emissions, are predicted to be of short duration and only relevant during the construction phase. The results of the risk assessment of construction dust impacts undertaken using the Institute of Air Quality Management (IAQM) dust guidance, indicates that before the implementation of mitigation and controls, the risk of dust impacts would be high. Implementation of the recommended mitigation measures described in the IAQM construction dust guidance should reduce the residual dust effects to a level categorised as “not significant”.

- 6.176** Environmental Health Officers have raised no concerns in respect of this matter, providing that the measures outlined within these documents are adopted and implemented at all times during all phases of the development process. This can be conditioned accordingly.
- 6.177** Consideration has also been given to the impact of post construction traffic. The submitted assessments indicate that the increase in pollution from this source would be negligible at all receptors. Predicted annual-mean NO<sub>2</sub> concentrations in the opening year at the façades of the existing receptors are below the Air Quality Standards (AQS) objective for NO<sub>2</sub> and PM<sub>10</sub>. Therefore, when the magnitude of change is considered in the context of the absolute concentrations, the impact descriptor is categorised as ‘negligible’ at all receptors.
- 6.178** To put the above conclusions into perspective the table below shows predicted annual-mean NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations in the opening year at the façades of the existing receptors and proposed dwellings to be well below the Air Quality Standards (AQS) objectives:

	<i>Maximum predicted annual mean</i>		<i>AQS objective</i>
	<i>Existing</i>	<i>Proposed</i>	
<i>NO<sub>2</sub></i>	<i>14.7</i>	<i>12.7 µg.m-3</i>	<i>40 µg.m-3</i>
<i>PM<sub>10</sub></i>	<i>14.7</i>	<i>14.1 µg.m</i>	<i>40 µg.m-3</i>
<i>PM<sub>2.5</sub></i>	<i>10.3</i>	<i>10.0 µg.m-3</i>	<i>25 µg.m-3</i>

The magnitude of change between the predicted level ‘without development’ to the predicted level ‘with development’ is considered negligible by Environmental Protection UK and Institute of Air Quality Management (EPUK & IAQM) (2017) Land-Use Planning & Development Control: Planning and Air Quality.

- 6.179** The predicted levels are also significantly below the levels of 60 µg.m-3 for NO<sub>2</sub> and 31.5 µg.m-3 for PM<sub>10</sub>, which provides a strong indication that there would be no exceedances of the hourly and daily AQ objectives respectively.
- 6.180** For the operational phase, detailed atmospheric dispersion modelling has been undertaken for the first year in which the project is expected to be fully operational, 2029. Pollutant concentrations are predicted to be well within the relevant health-based air quality objectives. Using the criteria adopted for this assessment together with professional judgement, the operational air quality effects are considered to be ‘not significant’ overall and no mitigation is considered necessary.
- 6.181** In respect of noise any development of this scale is likely to be associated with construction noise that would last for a considerable time given the likely build period. Given the proximity of existing residential premises Environmental Health officers have recommended that conditions be attached to any consent given, in respect of construction hours and a noise and vibration control plan.
- 6.182** The submitted noise assessment has been considered and Environmental Health officers agree that the existing noise environment is dominated by noise from road traffic on Appley Road, Marlborough Road and Bullen Road, respectively to the north, west and south of the project site, and the commercial Trucast site adjacent the site’s north west boundary. There are noise sources associated with the

proposed development together with noise sources that could impact the proposed development and it is important to ensure that appropriate controls are in place to prevent nuisance and minimise any disturbance.

- 6.183** The increase in noise from traffic associated with the development has not been assessed. Whilst traffic numbers would increase, Environmental Health have confirmed that it is likely, in Road Traffic Noise Assessment terms, that this would have a small effect on overall noise levels.
- 6.184** With regard to the impact of noise from the Trucast factory Environmental Health note that the content of paragraph 182 of the NPPF and particularly the statement that “Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed”. Consideration has been given within the submitted documentation, in respect of the impact on the residential properties, but not the impact on the doctors’ surgery and office building, which Environmental Health consider should also be classed as a sensitive receptor. In this regard a condition is recommended to ensure that noise mitigation measures are incorporated into the resultant build structure.
- 6.185** In respect of the potential noise from Trucast officers do note that there have been no complaints from existing residents (on other boundaries) in the last four years. Preceding this time, eight complaints were received between 2014 and 2017 related mainly to smoking and noise from music. The exception being two complaints from noise in 2015. This obviously does not evidence that future residents would not experience other impacts from noise, but it does provide some useful background in respect of the current impacts on the surrounding residential users and that these were not long lasting or wholly unacceptable impacts.
- 6.186** Environmental Health have also noted that the development, as well as residential properties, would contain some office accommodation, a Doctors Surgery and a café facility. The submitted information does not stipulate whether any of these facilities would have external plant/equipment (air-conditioning units for example). Similarly, no hours of use are currently proposed for the commercial units of this development proposal. In order to address these matters conditions are recommended in order to protect residents, including operational hours, delivery hours and control on any external plant.
- 6.187** In respect of light pollution, the scheme would require street lighting, in order to make the highway network adoptable. However, using the current design for this, upward light pollution would be kept to a minimum, while also ensuring safety for users. The site is not located within the AONB or an area known or designated specifically for dark skies. Therefore, considering the existing presence of street lighting as well as the industrial sites of Cothey Way and Westridge (including Tesco), officers do not consider the proposed development would result in unacceptable levels of light pollution.
- 6.188** Having regard to the above submitted details, comments from Environmental Health and recommended conditions, officers are satisfied that the proposed development

would not result in unacceptable impact from air, noise or light pollution.

### Heritage

- 6.189** The heritage assets on site can be separated into below ground, above ground, historic landscape character and the setting of designated heritage assets. These are considered in turn below.
- 6.190** In respect of the impact on any below ground heritage assets, an assessment of the potential archaeological resource was undertaken prior to the application being submitted, and this has included an archaeological desk based assessment, geophysical survey and trial trench evaluation of phases 2a, 2b and 4. The archaeology officer has confirmed that they are satisfied that the results indicate that no significant buried archaeological features or deposits were encountered in these areas, although 3 ditches interpreted as medieval or post medieval field boundaries were identified and recorded within area 2b. Geoarchaeological investigation of Pleistocene sands and gravels and overlying head and colluvial deposits in area 4 indicate that these deposits hold low potential to preserve significant palaeoenvironmental remains and no archaeological artefacts were recovered. In light of this assessment, no archaeological mitigation would be required during the development for below ground deposits in the areas assessed.
- 6.191** In respect of above ground heritage assets, there are two extant historic buildings which are non-designated heritage assets recorded in the Historic Environment Record (HER) within the proposed development.
- IWHER 13871 Westridge Cross Dairy, Bullen Road. This would be retained under the proposal and no mitigation is required.
  - IWHER 10149 (18th Century Barn, Westridge Farm). The development would require the demolition of this non-designated heritage asset. This building is associated with the historic farmstead IWHER 9748. The barn and farmstead are depicted on late 18th century maps although the farmstead may predate this.

The archaeology officer does not object to this demolition but, in order that the heritage asset may be adequately recorded, should the proposal be approved, conditions are recommended.

- 6.192** In respect of the potential impact on the historic landscape character, information from the HER and Historic Landscape Characterisation (HLC), which has been included in the archaeological desk-based assessment, indicates that the historic landscape is characterised as 4 defined polygons. These comprise 19th and 20th century amalgamated fields of medieval and post medieval date, post medieval enclosed land and former parkland associated with Westridge House (now demolished). Although the proposed development intends to retain a number of trees and hedges, the overall impact of the development on these HLC polygons would be significant. Although it is noted that neither the HLC nor the HER assign significance to the historic landscape character. It is therefore difficult to specifically identify the level of harm to the significance. It is noted however that the HLC Full Report identifies that one of the polygons (Westridge Farm Area) internal boundaries

have experienced significant change between 1810 – 1862 and post 1862. Another (West of Thornton House) has experienced significant change to its external boundaries over these periods. The remaining areas have also experienced change to internal and external boundaries over the same period. Officers consider that the mapping allows for these changes and the historical patterns to be recorded but are not of significance to justify a refusal of the application. Furthermore, the proposed layout protects the woodland belts through the site and many of the hedgerows, so that the four main elements of the site (northern, central, south west and south east) do roughly follow the polygons, so that they could remain legible.

- 6.193** Paragraph 197 of the NPPF sets out that: “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.” In this instance officers consider that the benefits of the proposed development in meeting the Island’s housing need, especially the delivery of affordable housing, outweighs the impact on the historic field pattern. The Northern Lowlands Historic Environment Action Plan (NLHEAP) outlines that this character area covers 37% of Isle of Wight land, it is therefore not considered to be rare on a local level. The NLHEAP identifies individual elements are rare nationally or locally but as a whole contains components typical of English lowland landscape. Such features as the northern boundary of Parkhurst Forest and the town plan for Newtown are identified as rare. Typical features of Area (distinguishing it from other HEAP Areas on the Island) are the generally small and small-medium fields, the well-wooded landscape, the variety of historic towns and other settlements, the long coastline, and access to the sea from the Area’s hinterland via tidal inlets. In light of the above the non-designated landscape asset of the fields within the site is not considered to be of significance. Therefore, although the impact may be considered significant it would not be classed as substantial harm and would be outweighed by the more significant benefits of the proposed development.
- 6.194** In respect of the setting of designated heritage assets, the archaeology officer has confirmed that they are satisfied that the impact of the development on the setting of designated heritage assets has been assessed within the archaeological desk-based assessment. This concluded that there is no visual impact from the proposed development on the designated heritage assets at Woodlands Vale (Registered Park, Lodge (Grade II), and House (Grade II\*) or Thornton Cottage, Puckpool Hill. Officers concur with these conclusions.
- 6.195** The application is therefore considered to comply with policy DM11 of the Island Plan Core Strategy.

#### Socio-economic factors

- 6.196** The Environmental Statement which has been submitted in support of the application includes a chapter on socio-economic, community and recreation. The focus of this assessment is on the effects on the economy, population, housing, local services and community resources, and recreational facilities including land used by the community and public rights of way (PRoW).



- 6.197** The report identifies the current baseline, which is considered to be relevant to the assessment of socio-economic factors. Details outline that the population of the Island in 2018 was 141,500 and population growth between 1997 and 2017 was 11.1%. In 2011 household size was 2.04 and there was a stock of 67,506 dwellings. A very simple calculation of dividing the number of dwellings by the average household size indicates that there is an approximate shortfall of 1,800. This is interesting when it is considered against the current housing needs register (February 2021) which identifies that there were just under 2,000 individual households on the Isle of Wight affordable housing need list. The 2018-based ONS Subnational Population Projections for England (ONS, 2020) state that population of England is projected to grow by 5% between 2018 and 2028, which is less than the rate for the Island, which is projected to increase by 5.3% so population growth is set to continue.
- 6.198** The proposed development would provide 473 new dwellings, of which 166 (35%) would be affordable housing, as defined by the NPPF. Comments have been received that the housing, although complying with the definition of affordable housing would not be affordable in the context of Island salaries. At present the policy does not define the term affordable, although the SPD does and references the NPPF. In instances where policies are silent the definition of the NPPF must be used. The application therefore complies with policy DM4. The additional housing would therefore serve to contribute significantly to the housing need for general market and affordable housing.
- 6.199** Concerns have been raised that the units would not be for local/Island people. Although it is not possible to control the purchase of private market dwellings the proposed affordable units would be sold (as shared ownership) or rented to those firstly in Ryde, then neighbouring parishes before the Island as a whole. They would also have been made available through the 'Homefinder' website, which identifies those on the housing register. The proposed development therefore has a significant benefit to the delivery of housing at both the Islandwide and local area level.
- 6.200** Recent changes to national policies related to housing introduce the requirement for residential schemes to include an affordable housing product known as First Homes. However, this requirement is being phased in and reflecting the progress of this particular application through the process the requirement for First Homes is not applicable.
- 6.201** The NPPF suggests that the following fall within the definition of community facilities: health, education, cultural infrastructure, local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. The submitted details identifies various facilities within these categories within close proximity to the site. However, the application would also include the following community and recreational components to mitigate for the additional residents and provide further choice and accessibility to existing residents:
- Commercial development of approximately 1,070 m<sup>2</sup> (GEA) (doctor's surgery/E1 office use)
  - A café (322 m<sup>2</sup>)

- Approximately 10 hectares of SANG, to include a local equipped area of play (LEAP) and dog training area (the latter requested by Natural England)
- 6.5 hectares of additional open space (including some drainage features)
- A network of pedestrian and cycle routes through the site linking to the existing routes beyond the site boundary in all directions
- A range of wider multi-user connections to the north (onto Appley Road and Calthorpe Road), west (onto Marlborough Road via the demolition of a garage belonging to No. 125 Marlborough Road, east (to connect onto Public Footpath 60) and south (across Bullen Road and into Cothey Bottom Copse)
- A financial contribution to education in accordance with the Isle of Wight Council's Children's Services Facilities Contributions SPD and
- Land to extend the existing allotments (the standard for which 0.3 m<sup>2</sup> per person)

**6.202** In respect of employment, the submitted details outline that; of the people who were of working age (16-64) between April 2018 and March 2019 the employment rate was 77.1%, compared with 78.7% throughout Great Britain. Over the same period, unemployment ran at 3.7% in the Isle of Wight, compared with 4.1% in Great Britain. A number of third-party comments ask where the residents would work, having regard to the Island's current unemployment. Although the residents would not necessarily work directly or indirectly on the site or as part of the construction process or operation of the site employment provision, the details suggest (acknowledging that the figures are an estimate) that 100 direct construction-related full time equivalent (FTE) jobs would be created. This includes 80 operatives on site, and 20 contractors/professional support staff. The scheme is therefore considered to generate significant levels of employment.

**6.203** Although the above figures are only estimates, details have been provided by the agent to confirm that at present (Phase 1/Hope Road) the site employs 70 people, of which 10 are apprentices.

**6.204** In addition to the potential direct construction employment generated by the proposed development, outlined above, there would be an associated increase in local employment arising from the indirect sources of employment in local businesses. The indirect employment is estimated by the applicants to equate to a further 45 FTE jobs in the supply chain including merchants, timber frame manufacturers, haulage firms, concrete & aggregate supply, plant hire and maintenance operatives.

**6.205** Post construction it is estimated with the submitted information that the café would yield approximately seven full time roles in addition to six part time roles, and that the Doctor's Surgery would result in 10 full time roles. Using the Employment Densities Guide 2nd Edition 2010 (Drivers Jonas Deloitte), it is also suggested that the residual commercial floorspace proposed is likely to yield up to 47 FTE jobs. Staff would also be required to manage the affordable housing stock and manage and maintain the communal areas and SANG.

**6.206** Having regard to the above it is considered that the proposed development would have a beneficial impact on employment.

- 6.207** The proposed development would also generate increased council tax and business rate revenue from the new homes and businesses to the local authority and the town council, as well as generating a new homes bonus from the government in the form of payments to the local authority (if the application is determined at a local level and not at appeal).
- 6.208** Comments have been received outlining that the local schools do not have capacity to accommodate the additional pupil numbers that the proposed development would generate. The applicant has agreed to pay a financial contribution, in line with the requirements of the relevant SPD to mitigate for any shortfall. This figure has been agreed with Education and would relate to primary provision only, as it has been confirmed that there is capacity at secondary school level.
- 6.209** It is considered by officers that the housing and job creation, together with the facilities provided on site as part of the development would provide socio-economic benefits to the Island.

#### Other Matters

- 6.210** The application site includes and is designated as a moderate area of minerals deposits. Policy DM20 (Minerals) seeks to protect Minerals Safeguarding Areas (MSA) unless it can be shown that the deposit is no longer of any value, the minerals could be extracted prior to the development taking place, or there is an overriding need for the development. In this instance the works undertaken in association with the archaeological evaluation trenching and drainage percolation test pits have indicated that there are no reserves on site. Furthermore, the site falls within close proximity to residential properties, even if being a proven deposit, industry standards require a suitable 'standoff' to protect residential amenities, this can be upward of 300m. The MSA (within the site) falls within proximity to residential boundaries. Therefore, the environmental impacts arising from extraction would be likely to be unacceptable.
- 6.211** Comments have been received by third parties raising concerns that the application would result in the loss of a community asset (the farm). However, an asset of community value (ACV) is considered to be buildings or land which are used for the wellbeing or social interest of the local community (examples include parks and open green spaces, libraries, cinemas and other cultural spaces, swimming pools and other leisure facilities, community centres, youth centres, nurseries or pubs). The nomination of an ACV is a separate process outside of planning and does not stop the land being sold or developed, it simply allows for a six-month period for a community group to generate income to buy the asset. The landowner is under no legal obligation to sell to the community group. An ACV can only be nominated if they are of interest socially (such as for sport, culture or recreational uses) or increase the wellbeing of the community now and into the future. Notwithstanding the outcome of any ACV application officers considered that the proposed SANG, areas of public open space, café and doctors surgery would provide greater assets to the community.
- 6.212** Concerns have been raised that the application would result in an impact on health

and wellbeing, due to the loss of green space. However, the current land, although visually available to residents who live adjacent to the site, it is not visible over a wider area or accessible to the local community for recreation etc. The inclusion of the proposed SANG as well as the network of footpath through the site, linking to existing footpath to the wider rural area, are considered to make green space more accessible and immediately available to residents. The SANG also include a café and dog training area, which encourage community interaction and therefore could improve wellbeing.

- 6.213** Concerns have been raised that the application would not integrate with the existing village/community of Elmfield and would instead result in another village. However, officers consider a community is made up of the people within it and therefore, the links and facilities provided within and through the site, which would encourage interaction between existing and future residents should assist with community interaction. The design of the proposed houses does appear different from those immediately adjoining the site so the area may appear visually different, but officers do not consider the architectural appearance of 'local' properties to be of a quality and distinctiveness that a change in external appearance would be detrimental to the community cohesion.
- 6.214** Third party comments have raised concerns with regards to the impact of the proposed development on climate change and the declared 'climate emergency'. The scheme includes details of features such as solar panels on parking pagodas, to provide charging for electric cars and noted biodiversity enhancements and tree planting. The applicant has also submitted a sustainability checklist to confirm that the scheme would meet the requirements of Building Regulations for sustainable build (including the changes to Part L (Conservation of Fuel and Power) which will not be enacted until June 2022 and subsequent changes as and when required, energy efficiency based on a fabric first approach which would see the buildings fabric being as thermally efficient as possible, before additional external measures or 'bolt-on' solutions are considered. All structural timber elements in the timber frame houses would be sourced from sustainable forests, using the advantages of timber frame to fill structural voids with insulation. A Site Waste Management Plan or Construction Environmental Management Plan (CEMP) would be developed to ensure that an appropriate plan is in place to recycle any waste products of the construction process and implement a waste hierarchy. Island based supplies would be used where possible to reduce transportation distances. Water saving appliances would be installed within new dwellings. These measures, together with the sustainable transport enhancements and residential travel plan are all considered to contribute to ensuring that the proposed development would allow for the much-needed housing delivery, while reducing the impact on the environment.
- 6.215** Environmental Health have considered the potential for contamination on site. It is noted that the applicant states that "As the project site is mainly, bar a number of farm buildings, undeveloped, significant sources of contamination are not likely to be present at the site. Construction would follow standard best practice implemented through a Code of Construction Practice (CoCP). The CoCP would be produced prior to construction in line with prevailing legislation and Environment Agency guidance, such that risk of contamination/pollution is minimised. Should any previously unidentified contamination be detected at the site during the construction

phase, work in the area would cease. A suitably qualified environmental consultant would be consulted and would attend the site to advise on an appropriate remediation, if required.” Environmental Health agree that the site is largely undeveloped and are not aware of any sources/previous uses at the site that might give rise to contamination concerns. Regulatory control may however be beneficial should unexpected contaminants be discovered. A condition is therefore recommended. A third party has raised concerns with regards to the potential for anthrax on site. The proposed conditions are considered sufficient to overcome such a concern.

- 6.216** Third party comments have suggested that the proposed scheme would be contrary to ‘A Green Future: Our 25 Year Plan to Improve the Environment’, which sets out the government’s 25-year plan to improve the health of the environment by using natural resources more sustainably and efficiently and it plans to
- protect the best agricultural land
  - put a value on soils as part of our natural capital
  - manage soils in a sustainable way by 2030
  - restore and protect peatland

Officers consider that the scheme has due regard to the requirements of this ‘Plan’, as the majority of the site is not considered to be best agricultural land or good quality soils.

## **7 Conclusion and planning balance**

- 7.1** The National Planning Policy Framework states that the planning system is planned and that the purpose of the planning system is to achieve sustainable development. In the same way, planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The role of the Planning system is to balance issues, particularly where they compete and compare the benefits of a proposed development with any identified harm. In this context, the NPPF advises that the planning system has three overarching objectives, these being economic, social and environmental objectives. These issues are balanced below:

### *Economic*

- 7.2** The application is primarily for residential development but would nonetheless result in the creation of a number of jobs both directly through the provision of office space, a doctors surgery and a café, as well as the construction process, but also indirectly through local suppliers. Together with the economic benefits associated with job creation the scheme would also result in benefits through council tax, business rates and new homes bonus. It is acknowledged that the application would result in the loss of Westridge Farm and the employment and economic benefits associated with this however, the proposal is considered to result in greater benefit to outweigh this loss.

## *Social*

- 7.3** The NPPF states that the social objective is to support strong, vibrant and healthy communities, referring to supporting the community's health, social and cultural well-being. The proposed development would deliver 472 additional residential units, of which 35% would be affordable housing, contributing towards meeting the Island's significant housing need. Together with the housing the scheme would also provide areas of publicly accessible open space with associated facilities, enhance access to the wider countryside via a network of additional rights of way, enhancement to public transport infrastructure, employment space and a doctors surgery. These factors would provide significant social benefits. These must be weighed against the loss of a working farm and the need for the existing occupants to relocate but officers consider that the benefits of providing housing, with linked areas of open space, for a significant number of families and the other elements of the scheme would out weight this impact.

## *Environmental*

- 7.4** The NPPF states that the environmental objective is to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 7.5** The proposed development would result in enhanced biodiversity and the potential impacts associated from pollution (air/noise/land/light) can be appropriately mitigated. The development of housing on a greenfield site would undoubtedly result in a visual change to the immediate character of the area, which from some viewpoints would result in a moderate impact on the landscape character but these impacts are not considered to be significant when having regard to the design of the development and proposed landscaping, which would reduce the impact. The site is relatively contained and is not visible from distance views. The layout and provision of protected open space would ensure against settlement coalescence. The scheme layout has had regard to the historic landscape character and would not impact on the settlement or any protected landscapes or listed buildings. The proposal is therefore not considered to result in any significant or unacceptable environmental impacts.
- 7.6** The scheme would provide or contribute towards enhancements to the local highway infrastructure to ensure that the additional traffic resulting from the development would not have an impact on highway safety.
- 7.7** Having given due regard and appropriate weight to all material considerations the application is considered, on balance, to be acceptable, subject to appropriate mitigation, which can be secured by conditions and a Section 106 Agreement. The application is therefore considered on balance to be acceptable.

## **8 Recommendation**

**8.1** Conditional permission subject to a Section 106 Agreement covering the following Heads of Terms:

- Financial contribution towards the provision of highway works to improve the Westridge Cross and the junction between Smallbrook Lane and Great Preston Road.
- Secure highway improvements off Bullen Road
- Secure highway improvements at the junction of the site with Apply Road and wider highway improvements along Apply Road
- Secure highway improvements to the roundabout of Appley Road and Marlborough Road
- To provide three multi-user Public Rights of Way
- 35% affordable housing provision and an associated affordable housing scheme (166)
- Mitigation payments to the Solent Protection Area, in accordance with the Bird Aware Strategy (in the region of £289,772)
- Delivery of the SANG and its retention in perpetuity, including the financial contributions towards its maintenance.
- Contribution towards Children's Services Facilities (Education) (in the region of £1,689,814 or figure as agreed with Education in line with the SPD).
- Residential Travel Plan
- Provision of Allotments

**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:

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

The application has been subject to negotiations and additional information has been submitted through the course of the application which has overcome the Council's concerns.

**Conditions/Reasons**

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

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

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

19-1000-SP02-E	19-1000-HT.AA1.6-C	19-1000-HT.C3.1-D
19-1000-SP04-R	19-1000-HT.AA9.6-A	19-1000-HT.N.R.2A-E
19-1000-SP07-L	19-1000-HT.R.RA.2-B	19-1000-HT.OI.1-D
19-1000-PH-A-K	19-1000-HT.RA.2-C	19-1000-HT.O2.1-C
19-1000-PH-B-G	19-1000-HT.AA3.6-D	19-1000-HT.O3.1-D
19-1000-PH-C-G	19-1000-HT.AA.RA.3-C	19-1000-HT.O.1-C
19-1000-PH-D-F	19-1000-HT.AA4.6-D	19-1000-HT.P.I-C
19-1000-PH-E-F	19-1000-HT.AA6.6-D	19-1000-HT.P.R.2-E
19-1000-PH-G-L	19-1000-HT.AA7.6-D	19-1000-HT.P.R.2.1-F
19-1000-PH-H-H	19-1000-HT.AA8.6-D	19-1000-HT.PI.1-E
19-1000-PH-J-F	19-1000-HT.B3.1-D	19-1000-HT.P2.1-E
19-1000-SP17-C	19-1000-HT.N.3-D	19-1000-HT.P3.1-D
19-1000-CH01-J	19-1000-HT.RA.3-C	19-1000-HT.P4.1-D
19-1000-CH02-F	19-1000-HT.RA1.2-B	19-1000-HT.PA.P.2-D
19-1000-CH03.E	19-1000-HT.RA3.NA.3-B	19-1000-HT.RA.AA.5B-B
19-1000-SP15-B	19-1000-HT.RI.2-B	19-1000-HT.RA.AA.5A-B
19-1000-CF01-A	19-1000-HT.RA.NA.2.1-D	19-1000-HT.RA.2.2-1st
19-1000-DS01-D	19-1000-HT.RA.NA.2-C	19-1000-HT.P.R.2.4-D
19-1000-DS02-D	19-1000-HT.PA.RA.2.2-D	19-1000-HT.P.R.2.2-D
19-1000-SP18-A	19-1000-HT.R.2-C	19-1000-HT.PA.CH.2-B
19-1000-HT.F1.1-D	19-1000-HT.R.3-C	19-1000-HT.PA.NA.CH.4-D
19-1000-HT.GA.1-C	19-1000-HT.PA.RA.2.1-D	19-1000-HT.PA.NA.2-C
19-1000-HT.L.1-C	19-1000-HT.P5.R.2.1-C	19-1000-HT.P5.1-B
19-1000-HT.LA.1-C	19-1000-HT.P5.R.2-C	19-1000-HT.PA.CH.RA.3-D
19-1000-HT.N.R.2B-C	19-1000-HT.P5.RA.2-C	19-1000-HT.P.RA.2-D
19-1000-HT.N.2-D	19-1000-HT.P.R.2.5-D	19-1000-HT.P.R.2.6-D
19-1000-HT.N.3-D	19-1000-HT.P.R.2.3-D	19-1000-HT.P.CH.RA.3-D
19-1000-HT.C.1-C	19-1000-HT.NA.2-D	19-1000-AA2.6-B
19-1000-HT.C1.1-B	19-1000-HT.NA.3-D	19-1000-AA5.4-B
19-1000-HT.C2.1-B	19-1000-HT.E.1-C	19-1000-AN03-A
19-1000-HT.F.1-D	19-1000-HT.EIA.1-C	19-1000-AN04-A
19-1000-HT.B.1-C	19-1000-HT.E2.1-C	19-1000-AN06-B
19-1000-HT.B1.1-C	19-1000-HT.E3.1-C	19-1000-AN07-B
19-1000-HT.B2.1-B	19-1000-HT.E4.1-A	19-1000-AN08-A
19-1000-AN10-B	19-1000-AN01-1st	19-1000-AN02-1st

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

3. Prior to commencement of the development hereby approved a phasing plan(s) shall be submitted outlining the delivery phasing for the highway works, the buildings, open spaces and the SANG. Development shall thereafter be undertaken in accordance with the agreed details.



Reason: In the interests of highway safety, the character of the area and the delivery of ecological mitigation and to comply with policies DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM17 (Sustainable Transport) of the Island Plan Core Strategy.

4. Prior to commencement of the approved development details and designs of any construction access(es) shall be submitted to and approved by the Local Planning Authority along with a delivery and decommissioning program. Development shall be carried out in accordance with the approved details.

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

5. Notwithstanding the requirements of the recommended Highways Phasing Plan and construction access arrangements, detailed design of each specific junction detailed below shall be submitted to and approved by the Local Planning Authority prior to commencement of the development hereby approved:
  - 5622.002 Rev K – Appley Road Proposed Access Arrangements
  - 5622.014 Rev G – Bullen Road Proposed Access Arrangements

Development shall be carried out in accordance with the approved details and be retained thereafter.

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

6. No (building/dwelling) hereby permitted shall be occupied until its space has been laid out within the site based on the principals of the layouts as detailed on drawing no:
  - 19 1000 SP 11 Rev H 'Parking Strategy'
  - Drawing No. 19-1000-PH A – K Site Plan Phase A
  - Drawing No. 19-1000-PH B - G Site Plan Phase B
  - Drawing No. 19-1000-PH C- G Site Plan Phase C
  - Drawing No. 19-1000-PH D- F Site Plan Phase D
  - Drawing No. 19-1000-PH E- F Site Plan Phase E
  - Drawing No. 19-1000-PH F- H Site Plan Phase F
  - Drawing No. 19-1000-PH G- L Site Plan Phase G
  - Drawing No. 19-1000-PH H- H Site Plan Phase H
  - Drawing No. 19-1000-PH J- F Site Plan Phase J

and drained and surfaced in accordance with details that have been submitted to and approved by the Local Planning Authority in writing for cars and bicycles to be parked. Prior to the occupation of the last unit in any phase all spaces attributable to each approved dwelling / building including

for associated visitor bays where applicable shall be provided. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

7. No dwelling / building shall be occupied until the parts of the service roads which provide access to it have been constructed surfaced and drained in accordance with details which have been submitted to and approved by the Local Planning Authority. Prior to the occupation of the last dwelling/building in any phase all those works as agreed in accordance with the Phasing Plan shall be completed. All of those works shall be based on the principals of the layouts as detailed on drawings no:

- 19-1000-SP04 Rev R – Development Plan
- 5622.002 Rev K – Appley Road Proposed Access Arrangements
- 5622.014 Rev G – Bullen Road Proposed Access Arrangements
- 5622.042 – Potential Spine Road Shared Footway / Cycleway Measures
- 19-1000-SP13 Rev M – Sustainable Connections
- 5622.041 Proposed Zebra Crossing on Marlborough Road
- 5622.018 Rev B Proposed Improvements to Crossing Facilities Appley Road / Marlborough Road Mini-Roundabout
- 19-1000-SP13 Rev M – ‘Sustainable Connections’
- 19-1000-PH A – K Site Plan Phase A
- 19-1000-PH B - G Site Plan Phase B
- 19-1000-PH C- G Site Plan Phase C
- 19-1000-PH D- F Site Plan Phase D
- 19-1000-PH E- F Site Plan Phase E
- 19-1000-PH F- H Site Plan Phase F
- 19-1000-PH G- L Site Plan Phase G
- 19-1000-PH H- H Site Plan Phase H
- 19-1000-PH J- F Site Plan Phase J

Development shall be carried out in accordance with the approved details and be retained thereafter.

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

8. No individual junction / access shall be brought into operation until sight lines have been provided in accordance with the visibility splays shown on the approved plans based on the principals of the layouts as detailed on drawings no;

- 19-1000-SP04 Rev R – Development Plan

- 5622.002 Rev K– Appley Road Proposed Access Arrangements
- 5622.014 Rev G – Bullen Road Proposed Access Arrangements
- 5622.042 – Potential Spine Road Shared Footway / Cycleway Measures
- 5622.041 Proposed Zebra Crossing on Marlborough Road
- 5622.018 Rev B Proposed Improvements to Crossing Facilities Appley Road / Marlborough Road Mini-Roundabout
- 19-1000-SP13 Rev J – ‘Sustainable Connections’
- 19-1000-PH A – K Site Plan Phase A
- 19-1000-PH B - G Site Plan Phase B
- 19-1000-PH C- G Site Plan Phase C
- 19-1000-PH D- F Site Plan Phase D
- 19-1000-PH E- F Site Plan Phase E
- 19-1000-PH F- H Site Plan Phase F
- 19-1000-PH G- L Site Plan Phase G
- 19-1000-PH H- H Site Plan Phase H
- 19-1000-PH J- F Site Plan Phase J

Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

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

9. No part of any boundary wall or fence erected on the site roadside frontage, nor any hedge planted to mark the roadside boundary or alongside such boundary, wall or fence, or within the first 2.0m of the garden / curtilage attributable to 125 Marlborough Road Ryde from its junction with the public highway that is Marlborough Road shall at any time be permitted to be more than 1 metre above the level of the adjacent carriageway and the resultant visibility splays shall be kept free of obstruction.

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

10. The vehicle access hereby permitted to serve No. 125 Marlborough Road, Ryde shall not be brought into operation until space has been laid out within the site in accordance with the principals of drawing no. 19-1000-SP15-B for 2 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

11. The development shall be carried out in accordance with the submitted flood risk assessment, specifically the supporting technical note (ref Technical Note, Land at Westridge Village, Isle of Wight – 18/01/2021/5622/Stuart Michael Associates) and the following mitigation measures it details:

- All FFLs of the proposed development are set more than 600mm above the expected 1 in 100 year plus Climate Change fluvial flood event level for the lifetime of the development

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policy DM14 (Flood Risk) of the Island Plan Core Strategy.

12. Prior to the commencement of the development a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This Plan shall detail, but not be limited to:

- mitigation for construction impacts on retained ecological features, including timing of works, licensed activities (for dormice and bats in particular) and sensitive vegetation removal and demolition methods.
- Measures already detailed to eradicate invasive plants, specifically three-cornered garlic which is abundant in some parts of the site but will need monitoring once works completed.
- Measures to manage light, noise and dust emissions.

The agreed details shall be implemented in accordance with the plan and adhered to thereafter.

Reason: To ensure that the details of ecological mitigation are undertaken in accordance with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy

13. The dust mitigation measures detailed in chapter 8 of the West Acre Park Environmental Statement, Chapter 8: Air Quality, June 2020 and within Appendix 8.1, Construction Dust Risk Assessment, June 2020 shall be adopted and implemented at all times during all phases of the development process. The precise details for dust monitoring, including the method, location and number of dust monitoring stations shall be submitted to and agreed in writing and contained within the CEMP (as defined by condition 12) with the Local Planning Authority prior to any development taking place. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the areas, neighbouring properties and ecological features and protected species in accordance with policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy

14. Prior to the commencement of the development hereby permitted a noise and vibration control plan shall be submitted to and agreed in writing by the Local Planning Authority within the CEMP (as defined by condition 12). Once approved the plan shall be adhered to at all times throughout the construction phase. Such an assessment should provide a noise management system tailored to the specific needs of the construction works, the site and the surrounding human receptors. As a minimum, the noise control plan would cover:

- procedures for ensuring compliance with statutory or other identified noise control limits;
- procedures for minimising the noise from construction related traffic on the existing road network;
- procedures for ensuring that all works are carried out according to the principle of 'Best Practicable Means' as defined in the Control of Pollution Act 1974 and in compliance with recommendations as described in BS 5228:2009.;
- general induction training for site operatives and specific training for staff having responsibility for particular aspects of controlling noise from the site;
- a noise and vibration monitoring / auditing programme, particularly during any piling operations;
- liaison with the Local Authority and the community; and,
- the adoption of 'Best Practicable Means'.
- In the event that pile foundations are to be driven, a scheme for the proposed method of piling to be employed shall be submitted to, and agreed in writing with, the Local Planning Authority. The scheme shall include an explanation of the method of installation of piles, appropriate justification for the method proposed and an explanation of why other methods are not technically feasible.

Reason: In the interests of the amenities of neighbouring properties in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

15. Prior to the commencement of the development a Biodiversity Mitigation and Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. This Plan shall detail, but not be limited to:

- Plan to show ecological features retained and the measures to avoid impacts, ecological features lost, details of replacement features (i.e. Bat/bird boxes), monitoring of these, long and short term management plans for biodiversity and details of habitat enhancement.
- An open space management plan for recreational use as a result of new residency onsite.
- Details of interpretation and information boards
- Soft landscaping plans to include mitigation and enhancement planting.

The agreed details shall be implemented in accordance with the plan and adhered to thereafter.

Reason: To ensure that the details of ecological mitigation are undertaken in accordance with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy.

16. Prior to the installation of the public footpath through Cothey Bottom Copse details of the surface finish, measures to stop users accessing the woodland and interpretation /information boards regarding the importance of the designated ancient woodland shall be submitted to and agreed in writing with the Local Planning Authority. Works shall be undertaken in accordance with the agreed details before the route is brought into use in accordance with the Highway Phasing Plan.

Reason: To ensure that the ancient woodland is protected from damage in accordance with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy

17. Prior to the installation of any external lighting onsite detail shall be submitted to and agreed in writing with the Local Planning Authority. Details shall include measures to prevent light pollution. External lighting shall be carried out in accordance with the approved details and be retained thereafter.

Reason: In the interest of the amenities of the area and protected species in accordance with policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy

18. No development shall take place over damp proof course within any phase of the development until details of hard and soft landscaping works for that phase have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to occupation of any dwelling within the relevant phase.

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

19. The treatment of foul and surface water shall accord with the details submitted, including the management and maintenance of the surface water systems. Foul drainage shall at all times discharge to Sandown Waste Water Treatment Works, as detailed.

Reason: To ensure that the site is satisfactorily drained, to prevent issues of localised flooding, to ensure that surface water does not impact on the water quality of the Monktonmead Brook and to comply with the requirements of

policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy.

20. The developer shall afford access at all reasonable times to the staff of the County Archaeology and Historic Environment Service and shall enable them to record the building (18<sup>th</sup> Century Barn, Westridge Farm (IWHER 10149)) and features of archaeological significance prior to commencement of works.

Notification of commencement of groundworks and information as to whom the archaeologist should contact on site should be given in writing to the address below not less than 14 days before the commencement of any works:-

Isle of Wight County Archaeology and Historic Environment Service  
Westridge Centre  
Brading Road  
Ryde  
Isle of Wight  
PO33 1QS

Reason: To ensure that features of historic interest are protected in accordance with DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

21. Prior to the commencement of any works within the root protection area or canopy of any retained tree(s) on site, an Arboreal Method Statement, to be in a form which can be provided to all those working on site, shall be submitted to an approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details for the duration of construction works within proximity of the retained tree(s).

Reason: To ensure that all retained trees on site are appropriately protected and works within proximity to them are done in a manner which would not impact on their health and integrity, in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

22. Prior to the construction of any phase, tree protection fencing barriers (which shall consist of a scaffold framework as shown in figure 2 of BS 5837 (2005)) shall be erected around all of the retained trees, hedges and woodlands. The barriers shall comprise of vertical and horizontal framework braced to resist impact, with vertical tubes spaced at a maximum of 3 m intervals. Onto this weldmesh panels are to be securely fixed. Such fencing or barrier shall be maintained throughout the course of the works on the site, during which period the following restrictions shall apply:

- (a) No placement or storage of material;
- (b) No placement or storage of fuels or chemicals.
- (c) No placement or storage of excavated soil.

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

Reason: To ensure that all general trees and shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in compliance with Policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

23. No development within any phase of the development shall take place above damp proof course until details of the materials and finishes, including mortar colour to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

24. No development within each phase shall take place until details of the hard and soft landscaping, to include boundary treatments, shall be submitted to and approved in writing with the Local Planning Authority. The agreed details shall be completed within the first planting season following occupation of the buildings and shall be maintained thereafter.

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

25. Construction work that produces noise audible beyond the site boundary shall be permitted only between the hours of 08.00hrs to 18.00hrs Monday to Friday, 08.00hrs to 16.00hrs on Saturdays with no working on Sundays or public holidays. (All times relate to noisy works audible beyond the site boundary).

Reason: In the interests of the amenities of neighbouring properties in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

26. Should any previously unidentified contamination be detected at the site during the construction phase, work in the affected area shall cease until such time that a suitably qualified environmental consultant has attended the site to advise on an appropriate remediation, if required. The Local Planning Authority shall be notified of any unexpected contaminants found and, where



deemed necessary by the Local Planning Authority, a site investigation report documenting the ground conditions of the affected area, and incorporating chemical and gas analysis, shall be undertaken and submitted to and agreed in writing by the Local Planning Authority. Any necessary remediation shall be carried out in accordance with the approved details upon the recommencement of works and the applicant shall provide reporting documentation to demonstrate that the required remediation has been carried out, upon the completion of works within the affected area. All investigations shall be undertaken in accordance with national guidance as set out in Contaminated Land Research report no's 2 & 3 and BS10175: 2011+A2:2017.

Reason: In order to ensure that issues relating to contamination are adequately investigated and resolved where necessary as part of the development, to protect the environment and prevent harm to human health in order to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and paragraph 178 of the NPPF.

27. A scheme of noise mitigation measures to be incorporated into both residential and commercial premises affected by noise from current, offsite sources (Trucast), shall be submitted to and agreed in writing by the Local Planning Authority prior to development commencing on the commercial building in phase A or units B15-B16, B29-B31 and B32-B34 in phase B. This shall include the proposed surgery and offices. The agreed mitigation measures shall be implemented in accordance with the approved details and shall be retained and maintained thereafter.

Reason: To ensure that the neighbouring uses do not have an unacceptable impact on the ability of either to function as intended in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

28. Prior to being bought into use the operational hours of any non-residential premises, including the café, offices and doctors surgery, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed operational hours thereafter.

Reason: In the interests of the amenities of the area and neighbouring residential properties in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

29. Prior to being bought into use the hours when deliveries/collections are made to/from any non-residential premises, including the café, offices and doctors surgery, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed delivery/ collection hours thereafter.

Reason: In the interests of the amenities of the area and neighbouring residential properties in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

30. Noise emitted from any external plant connected with the commercial uses hereby approved, shall not exceed LAeq 15 minute of 3dB below the existing background noise level and shall have no perceptible tonal component between 23:00 and 07:00 hours daily, and shall not exceed LAeq 60 minute of the existing background noise level at any time and shall have no perceptible tonal component between 07:00 and 23:00 hours daily. The noise levels shall be determined at 1 metre from (insert location of closest/most sensitive premises) by measurement or calculation. The measurements and or calculation shall be made in accordance with BS4142:2014+A1:2019. n.b. BS4142:2014+A1:2019 outlines both an objective and subjective methodology for the assessment of tonal noise. The method adopted together with the existing background noise level should be agreed in advance with the LPA.

Reason: In the interests of the amenities of neighbouring residential properties in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

31. The commercial building hereby approved within phase A shall be used only as offices and a doctors surgery/clinic and no other uses falling within the E use class.

Reason: To protect the character of the area and neighbouring properties and ensure an alternative commercial use would be appropriately located, and would not result in an impact on the viability and vitality of the town centre and to allow the planning authority to assess any potential impact in accordance with policies DM9 (Town Centres) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

32. The café hereby approved within phase C shall be used only as a café and no other uses falling within the E use class.

Reason: To protect the character of the area and neighbouring properties and ensure an alternative commercial use would be appropriately located, and would not result in an impact on the viability and vitality of the town centre and to allow the planning authority to assess any potential impact in accordance with policies DM9 (Town Centres) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

**UPDATE FOLLOWING THE PUBLICATION OF A REPORT TO THE PLANNING COMMITTEE  
– TUESDAY 27<sup>th</sup> July 2021**

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 Representation**

Councillors may be aware that the National Planning Policy Framework (NPPF) has been updated between the publication of the report and the meeting. The main emphasis of the changes involves the requirement of Local Authorities to produce Design Codes in line with the National Design Guide and National Model Design Code, to help achieve high quality, beautiful and sustainable buildings and places. The LPA will be looking at fulfilling this requirement separately, but in the meantime will require developments to comply with these principles.

The relevant section of the report on National Policy has referenced paragraphs from an older version of the Framework (2012), rather than the recently superseded version and is therefore entirely out of date. The below therefore represents a complete replacement to the relevant national planning policy section of the report to account for the changes

made within this national policy document, as well as other individual paragraphs within the report, which reference policies within the NPPF, and amendments have been made:

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

##### National Planning Policy

**4.1** At the heart of the NPPF (2021) 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.

**4.2** Paragraph 8 sets out the three overarching objectives to achieving sustainable development. These being:

“a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

**4.3** Paragraph 9 clarifies that “These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”

**4.4** Paragraph 110 sets out that:

“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport
- d) elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- e) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

**4.5** A key additional consideration to achieving high quality, beautiful and sustainable places is the acknowledgment of the important contribution that trees makes to the character and quality of urban environments, and the role they play to help mitigate and adapt to climate change. Paragraph 131 sets out that “Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”

For ease of reference the amendments to the below paragraphs have been shown in italics:

**6.8** Taking this into account, the sustainability guidance contained within the NPPF and particularly *paragraph 105* should be noted, which states that ‘Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.’ Thus, for larger developments, the Planning Authority expects connection to a range of transport modes and to limit car travel.

**6.42** The submitted information evaluates the overall sensitivity of the landscape resource as medium. It sets out that the site is characterised by open grassland fields, contained by areas of woodland and hedgerows. There is currently no public access to the site, and whilst the site has special scenic qualities, it is not unique or rare. The site does not contain any demonstrable physical attributes that would allow it to be defined as a ‘valued landscape’ as per *paragraph 174(a)* of the NPPF. Officers concur with this conclusion.

**6.184** With regard to the impact of noise from the Trucast factory Environmental Health note that the content of *paragraph 187* of the NPPF and particularly the statement that “*Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its*

*vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."* Consideration has been given within the submitted documentation, in respect of the impact on the residential properties, but not the impact on the doctors' surgery and office building, which Environmental Health consider should also be classed as a sensitive receptor. In this regard a condition is recommended to ensure that noise mitigation measures are incorporated into the resultant build structure.

- 6.193** *Paragraph 203* of the NPPF sets out that: "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset." In this instance officers consider that the benefits of the proposed development in meeting the Island's housing need, especially the delivery of affordable housing, outweighs the impact on the historic field pattern. The Northern Lowlands Historic Environment Action Plan (NLHEAP) outlines that this character area covers 37% of Isle of Wight land, it is therefore not considered to be rare on a local level. The NLHEAP identifies individual elements are rare nationally or locally but as a whole contains components typical of English lowland landscape. Such features as the northern boundary of Parkhurst Forest and the town plan for Newtown are identified as rare. Typical features of Area (distinguishing it from other HEAP Areas on the Island) are the generally small and small-medium fields, the well-wooded landscape, the variety of historic towns and other settlements, the long coastline, and access to the sea from the Area's hinterland via tidal inlets. In light of the above the non-designated landscape asset of the fields within the site is not considered to be of significance. Therefore, although the impact may be considered significant it would not be classed as substantial harm and would be outweighed by the more significant benefits of the proposed development.

### **Officer conclusion**

The proposed development is considered to comply with the revised Framework through the existing proposed sustainable transport improvements, including the production of a Travel Plan and the appointment of a Travel Plan Coordinator (TPC) who would be responsible for the implementation and management of the Travel Plan, to encourage the uptake of the proposed sustainable transport initiatives. The scheme also proposes the retention of so many trees as possible as well as the incorporation of significant landscaping including treed street scenes, newly planted trees in areas of public open space and a plan for their long-term maintenance.

### **Nature of Representation**

A further representation has been received from Cycle Wight clarifying their support for the proposal, commenting that "We have now had several meetings with BCM and

Captiva Homes where we have worked on the plans for cycling and walking in the Development. We have welcomed this approach and support many of the aspects of the designs proposed. They have embraced the new DfT design guidelines of LTN 1/20 and we hope that the detailed plans will reflect those standards. We do believe that Dutch entrance kerbs, which are now available as a mainstream UK product <https://www.aggregate.com/products-and-services/commercial-landscaping/kerbs/dutch-kerb> , will help Captiva Homes provide a safe environment for pedestrians and cyclists. As a group, we believe with the many developments that are occurring on the Island, at the moment that Captiva Homes and BCM have shown an excellent example of good practice.”

### **Officer conclusion**

Comments to note.

### **Nature of Representation**

A late representation has been received on behalf of the applicants of the Pennyfeathers site, expressing concerns on highway grounds. Comments suggest that the report relies on background papers, which are not publicly available, making direct reference to paragraph 6.150 of the report. Furthermore, comments consider that the proposal does not following legislation on two counts. Firstly, stating that planning permission should not require consent of third parties and secondly that planning conditions should not simply be collected for a scheme unless there is a clear scheme in place. The comments go on to makes suggestions of the options available to councillors including deferring, grant permission subject to a Grampian condition requiring Westridge junction works to be delivered before the commencement of development on site or to refuse the application on highway grounds.

### **Officer conclusion**

Officers would dispute that the report relies on background papers that are not publicly available. The report references a study which has been commissioned to establish the costs associated with the detailed design of the junctions, in order to establish an appropriate cost for these works, to ensure any contribution is commensurate to this cost. The application documentation includes plans showing detailed improvements of the key junctions (Westridge Cross and Great Preston Road/Smallbrook Lane). These include works approved as part of other schemes in the area, none of which provided detailed highway designs, but simply showed that the principle of the improvements was possible and would provide the required capacity on the network. These principles have been accepted as the nature by which these junctions would need to be altered to achieve the required capacity from the increased traffic generation. The principle designs are therefore available for consideration. The recommendation is conditional permission subject to a Section 106. This legal agreement would set out the overall cost the development would need to contribute. The applicant has undertaken their own assessment of these costs, which would be in the region of £777,000.00 (both junctions).

The submitted details also provide capacity information with and without various other developments that have consent. This demonstrates that the proposed development

would see the construction of 100 units prior to works being needed to Great Preston Road/Smallbrook Lane and 400 units prior to the works on Westridge Junction. In light of these numbers it would be entirely unreasonable to require no works until the junction improvements have been undertaken, as suggested. It is noted that these figures relate to the number of units on site without Pennyfeathers, as this development would be required to do such works in the event that it is commenced prior to these triggers.

An application cannot rely on third party land if there is no prospect of the works being achieved/agreed. On the basis that the highway works have been approved as part of an alternative development and further permission has been approved for improvements to Westridge Cross in isolation, it cannot be suggested that there is no prospect of the works being undertaken/achieved.

### **Nature of Representation**

Seven emails have been sent to the Leader of the Council and four additional public representations have been received objecting to the application, but do not raise additional grounds to those already summarised in the report or matters, such as the number of objections, which is not a material planning consideration.

### **Officer conclusion**

No change to recommendation.

### **Nature of Representation**

The agent for the application has provided further comments on the report and the revised NPPF which can be summarised as follows:

- For clarification, all of the 'multi-user' routes are suitable for pedestrians and cyclists and would be available for existing and proposed residents, taking a 'walking and cycling first' approach, as per the NPPF, paragraph 112(a)
- Contrary to section 5.18 of the report, Cycle Wight support the application
- In section 6.37 of the report the word '*not*' is missing from the penultimate line, which should read "the area which would be lost would [not] impact to an unacceptable degree to the understanding of the landscape character area"
- Section 6.93 – To supplement (and identical to phase G) there would also be a 5-metre-wide planted buffer along the southern boundary of the site.
- The Council is in possession of the applicants off site highway junction costs and detailed junction designs. These correlate with the work commissioned by the Council. This ensures the development can mitigate its impact.
- The example of (as shared ownership) in section 6.199 should read (e.g. shared ownership), as other forms of sale of affordable housing is possible. The applicant is happy to define and agree with the Council the full scope of all tenures within the Section 106 agreement.
- Highlight sections 2 (Achieving sustainable development), 5 (Delivering a sufficient supply of homes), 6 (Building a strong, competitive economy), 8 (Promoting healthy and safe communities), 9 (Promoting sustainable transport), 11 (Making



effective use of land) and 12 (Achieving well-design places) of the revised NPPF. The proposal complies with these sections.

- Important to highlight paragraph 8 of the revised NPPF and the overarching purpose to achieve sustainable development; split between economic, social and environmental objectives. It would be prudent to highlight those objectives to the planning committee, as this then must be read against para 10, and then (importantly, for the decision maker) para 11 (d) and the titled balance applied.
- As the NPPF has placed enhanced weight to well-designed places (section 12) reference is made to the inclusion of trees throughout the development and the SANG.
- The report is silent on the draft allocation of the site within both the 2018 and the 2021 Regulation 18 consultation papers of the Island Planning Strategy.
- The Council have offered considerable support and provided a policy based (favourable) balance, but attention is drawn to para 11 (d) which elevates the required balance confirming that consent should be granted (as per the recommendation) unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

### **Officer conclusion**

The comments from Cycle Wight have been clarified above but the errors identified as being within 6.37 and 6.199 are correctly identified and the report should be considered as amended accordingly.

No other changes to report or recommendation are arising.

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

Date: 27 July 2021

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# Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and Time	<b>TUESDAY 27 JULY 2021 COMMENCING AT 4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	CLLrs G Brodie (Vice-Chairman), P Brading, C Critchison, W Drew, C Jarman, J Medland, M Oliver, M Price and C Quirk
Also Present (Non voting)	Cabinet Member for Planning and Housing: Cllr Paul Fuller (non voting)
Officers Present	Marie Bartlett, Oliver Boulter, Russell Chick, Ben Gard, Alan White and Sarah Wilkinson
Apologies	CLLrs D Adams, M Beston and R Downer

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## 12. Minutes

RESOLVED:

THAT the minutes of the meeting held on 6 July 2021 be confirmed as a true record.

## 13. Declarations of Interest

There were no declarations received at this stage.

## 14. Public Question Time

There were no public questions.

## 15. 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 Members 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 was carried out on Friday, 23 July 2021.

**Public Participants:**

Mr Mark Gaskin (objector)

Mrs Amy Holliday (Objector)

Mr Simon Cooke (Ryde Town Council)

Mr David Long (Agent)

Mr Iain Delaney (Applicant)

**Additional Representations:**

Updates had been made to the National Planning Policy Framework (NPPF) since the report had been published, Officers provided updates where the NPPF had been referenced in the report.

A further representation from Cycle Wight had been received confirming their support for the proposal. A late representation had been received on behalf of the Pennyfeathers, expressing concerns on highway grounds, and seven emails had been received by the Leader and four additional representation had been received by the Local Planning Authority objecting to the application.

**Comment:**

Councillor Matthew Price had not attended the full site visit with the Planning Committee and therefore, in accordance with the Council's Constitution, he did not take part in the debate or vote.

Following advice from the Monitoring Officer, Oliver Boulter Strategic Manager for Planning and Infrastructure read out a statement from Councillor Michael Lilley as Local Member for the application.

The Chairman of the meeting advised that a comprehensive update paper had been circulated and asked whether the Committee had, had enough time to read it. Members of the Committee agreed that they had all read the document provided.

Concerns regarding road safety were raised by the Committee. Officers confirmed that Island Roads had not objected to the application, subject to officers being satisfied that a contribution to assist with the upgrading of the junction at Westridge cross could be secured. The development would create an alternative route for residents and could have the potential to take traffic away from the current road network and spread the level of traffic in the area.

The Committee were advised that Human Rights were a material consideration which they were required to have regard to in reaching their decision.

Clarity was requested regarding the doctors' surgery as the report stated 'space for a doctors surgery, should it be required'. Officers advised that there was currently no GP on board to take this forward, however it was understood that surgeries in the area may wish to relocate., The decision whether the doctors surgery was required was one which was a matter for the NHS Trust.

Sustainability for utilities, notably foul drainage, was questioned. Officers stated that the application had confirmed that the proposal would discharge to the mains and this was considered to be adequate detail for the application to be determined. It would be a matter for the utility companies and developer to agree any necessary contribution towards improved capacity, if required, if permission was granted.

Questions were asked regarding the affordable housing and about the company named as managing that aspect of the proposed development as the company is not a registered provider. Assurance was given that affordable housing would have to be provided by a provider of affordable housing, which would need to be agreed with the council. This would be managed through the Section 106 agreement, which would also agree the phasing of delivery and tenure of these units. There was also an opportunity for the Planning Committee to request a percentage of affordable rented accommodation.

Councillor Chris Jarman advised that he had in the past expressed disappointment about the loss of greenfield sites and about properties that local people could not afford. However, he stated that he had not predetermined this application and was would listen to all comments and would weigh the merits of the application with a clear mind before voting.

Concern was raised that future climate change policies had not been recognised within the application, with no alternative to gas central heating. Yet gas central heating is being phased out. Councillors were advised that the development was proposing to meet current standards relating to the build quality and such things as insulation. As the development progressed through the phases and legislation was updated around building control, 'retro-fitted' features could be required to be installed. It was unreasonable, however, to restrict developers to use those alternatives, based on current policy until it was a legislative requirement.

A proposal to approve the application subject to the inclusion of 70% of the affordable housing proposed in the development being required to be affordable rented accommodation was made and duly seconded, the vote was taken.

The motion fell

The Chairman of the meeting advised that if a proposal to refuse the application was moved, the Committee would need to provide reasons why they wanted to refuse the application.

A number of concerns were raised these were in summary:

- Living conditions for resultant residents and amenity to neighbourhood if the development would be used as a rat run,
- Human rights
- Calculations relating to traffic generation
- High density
- Affordable housing is not social housing
- Impact on tourism
- Infrastructure and accessibility
- No definite decision regarding the doctors' surgery
- Utilities issue
- No mention of sustainable build features e.g. Solar panels etc
- Loss of heritage
- Consideration of the policies of the Draft Island Planning Strategy

The Committee were advised by officers that some of the concerns could be overcome by planning conditions. Cllr Chris Jarman thought great weight ought to be given to the Draft Island Planning Strategy. The Strategic Manager for Planning and Infrastructure Delivery referred to paragraphs 47 and 48 of the revised National Planning Policy Framework and stated that weight may be given to relevant policies in emerging plans but because of the very early stage of its production he advised against any weight being attached to it in those circumstances. The Draft Island Planning Strategy was due to go out to consultation on 30 July 2021.

A short adjournment was taken to allow officers time to consider the

concerns and formulate a sustainable reason for refusal of the application, based on these.

Following the adjournment officers asked the Committee to read paragraphs 6.193, 6.192 and 6.189 through to 6.195. Officers confirmed that the Council's archaeology officer had confirmed there would not be any unacceptable impacts on above and below ground heritage assets. There would, however, be an impact on the historic landscape, although the significance of this landscape had not been qualified. The impact on heritage and culture on Ryde and the Island as a whole could be incorporated.

A proposal to refuse the proposed development as the application didn't go far enough to mitigate the impact on the historic landscape was made and duly seconded.

In accordance with the Council Constitution a named vote was taken the result follows:

For (4)

Cllrs Claire Critchison, Warren Drew, Chris Jarman, John Medland

Against (4)

Cllrs Paul Brading, Geoff Brodie, Martin Oliver, Chris Quirk

As the vote was tied, in accordance with the Council's Constitution the Chairman gets a casting vote, the Chairman voted against the motion which duly fell.

Prior to the three hour point in the meeting, a proposal to extend the meeting by up to 30 minutes under Part 4B paragraph 6 (Duration of meetings) and paragraph 10 (Voting) of the Council's Constitution was put to the meeting by the Chairman.

**RESOLVED BY AFFIRMATION WITHOUT DISSENT:**

THAT the meeting be extended by up to 30 minutes.

After the meeting had been extended, Cllr Claire Critchison addressed the Chairman about a prior engagement, and was advised by the Chairman that if she wanted to vote she would have to remain.

A proposal was made to grant conditional approval in line with the officer's recommendation subject to the inclusion of 71% of the affordable housing proposed in the development being required to be affordable rented accommodation was made and duly seconded.

A vote was taken and the result was:

**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, in line with the officer's recommendation, the application be conditionally approved subject to the inclusion of 71% affordable rented accommodation being provided within the development.

As per report (Item 1)

16. **Members' Question Time**

There were no members questions submitted.

CHAIRMAN





## Planning Committee Report

Purpose: For Decision

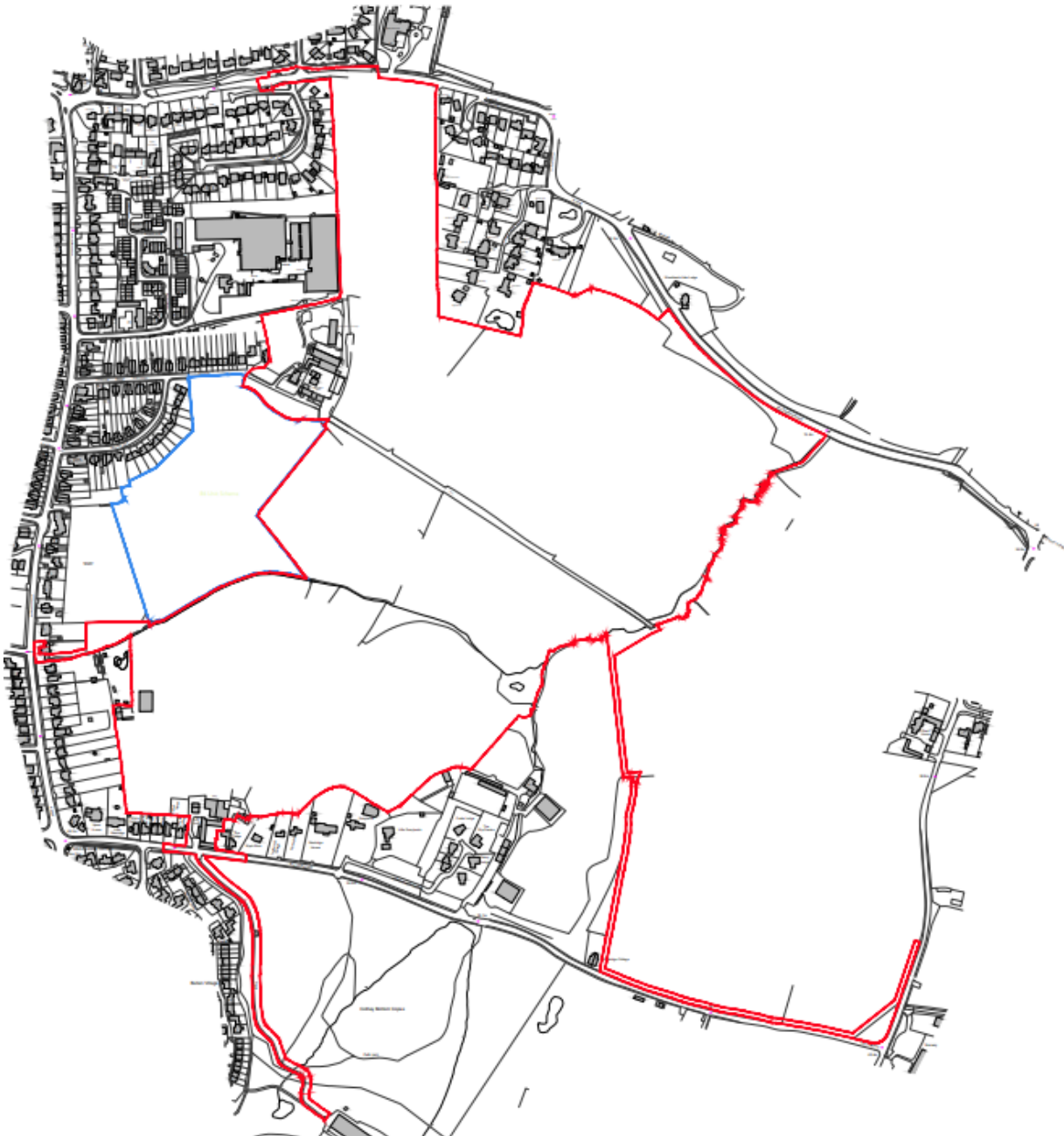
Report of	STRATEGIC MANAGER FOR PLANNING & INFRASTRUCTURE DELIVERY
Date	<b>21<sup>st</sup> March 2023</b>
Application Reference	20/01061/FUL
Application type	Full
Application Description	Demolition of agricultural buildings and the garage to No 125 Marlborough Road; Proposed development consisting of 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
Site address	Land south of Appley Road, north of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight
Parish	Ryde
Ward Councillor	Cllr Michael Lilley
Applicant	Westridge Village (IOW) Ltd
Planning Officer	Sarah Wilkinson

Reason for Planning Committee consideration	The planning application was previously referred to the Planning Committee for consideration on 27 <sup>th</sup> July 2021. The original report can be viewed by following this link:
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[20-01061-FUL Westacre Committee report](#)

Recommendation

To agree to amended heads of terms to the legal agreement, to include mitigation land for curlew habitat and enhancement and mitigation strategy.



**Main considerations**

- Planning history and preamble
- Ecology
- Human rights

## 1. **Evaluation**

### Planning history and preamble

1.1 Councillors will be aware that this planning application was considered by the Planning Committee on 27<sup>th</sup> July 2021, with the committee resolving to approve the development subject to planning conditions and the satisfactory completion of a legal agreement. The legal agreement is required to secure the following measures:

- Financial contribution towards the provision of highway works to improve the Westridge Cross and the junction between Smallbrook Lane and Great Preston Road.
- Secure highway improvements off Bullen Road.
- Secure highway improvements at the junction of the site with Appley Road and wider highway improvements along Apply Road.
- Secure highway improvements to the roundabout of Appley Road and Marlborough Road.
- To provide three multi-user Public Rights of Way.
- 35% affordable housing provision and an associated affordable housing scheme (166).
- Mitigation payments to the Solent Protection Area, in accordance with the Bird Aware Strategy (in the region of £289,772).
- Delivery of the SANG and its retention in perpetuity, including the financial contributions towards its maintenance.
- Contribution towards Children's Services Facilities (Education) (in the region of £1,689,814 or figure as agreed with Education in line with the SPD).
- Residential Travel Plan.
- Provision of Allotments.

1.2 Since the application was considered by the Planning Committee officers have been negotiating with the developer to finalise the section 106 agreement. During this time Natural England contacted the LPA to advise that part of the site lies upon a site designated as functionally linked land as part of the Solent Waders and Brent Geese Strategy (site IOW 46) as shown below. This designation was not identified by the applicant and subsequently not raised as part of Natural England's formal planning response. Concerns were therefore raised that the Habitat Regulation Assessment did not reference this supporting habitat and therefore needed to be updated.



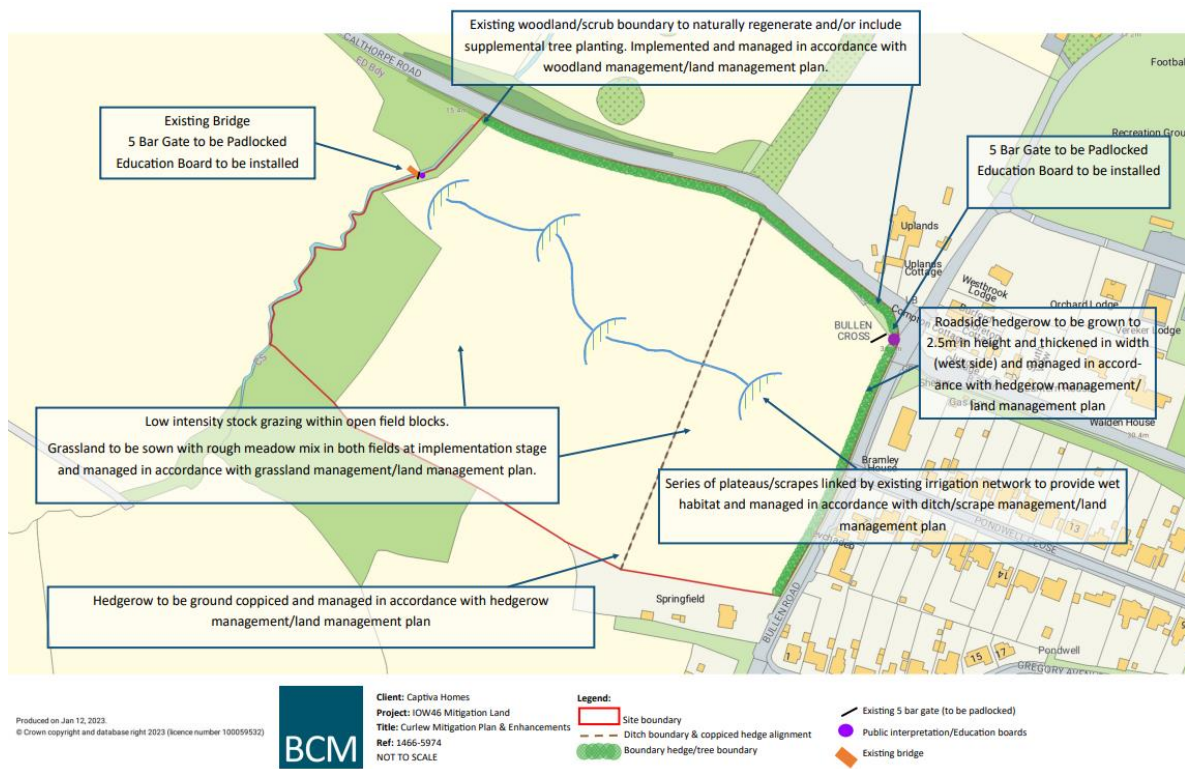
- 1.3** During this same time period the LPA also received a letter from the landowners' solicitor to confirm that on 13th September 2022, they, on behalf of their client, exchanged contracts for the unconditional surrender of the agricultural tenancy held over Westridge Farm by the then tenant farmers. This established that the tenant farmers will vacate the farmland at Westridge Farm by no later than 23 December 2022 and the Westridge Farmhouse by no later than 31 March 2023.
- 1.4** This report provides updates to sections of the original committee report in respect of ecology (paragraphs 6.99 – 6.114 inclusive) and human rights (paragraphs 6.21 – 6.28 inclusive). All other parts of the report are considered to remain relevant as previously written.

#### Ecology

- 1.5** On the receipt of comments from Natural England with regard to site IOW 46 discussions have taken place with the developer to establish how the loss of habitat could be mitigated.
- 1.6** Site IOW 46 covers an area of 11.27 hectares and is identified within the Solent Waders and Brent Goose Strategy as a Low Use Site. The Strategy sets out that "In order to assess the importance of each site, a metric-based analysis technique was developed; five metrics were devised; sites were given a score for each metric and then each score was summed to give an overall score. The overall score results in a classification of site importance as either "core", "primary support area", "secondary support area" or "low use site"."
- 1.7** Low use sites are defined as sites that have records of birds but in low numbers. Count data has been provided to show that four positive count visits were recorded, noting the presence of 6, 14, 13 and 15 curlews. Negative visits were not recorded, and it is therefore not clear how many times the site was surveyed, and zero birds recorded. For comparison the submitted information details that a maximum count on a 'core site' was recorded as 600 birds.

consider that the recorded presence of up to 15 curlew on this site is comparatively very low.

- 1.8** The Strategy is supported by a report entitled 'Guidance on Mitigation and Off-setting requirements' and therefore accepts the principle of loss in habitat, subject to re-provision or contributions. This guidance sets out that "All Low Use sites have the potential to be used by waders or brent geese. These sites have the potential to support the existing network and provide alternative options and resilience for the future network. The in-combination loss of these sites would impact on the continued ecological function of the wader and brent goose network. In all cases proportionate mitigation, off-setting and/or enhancement measures will be required."
- 1.9** As a very rough and approximate calculation based on the available information, the SANG within the proposed development would account for 77 percent of site IOW 46, with buildings/roads occupying the remaining 23 percent. Therefore, the majority of the land would not be lost to development. However, as the SANG is intended to encourage recreational activity away from the coast Natural England considered that the land would be lost as habitat.
- 1.10** The current site IOW 46 forms part of the former active farmland and therefore the land has been managed in line with farming practices and would have had cattle grazing on it from time to time. In order to mitigate for the loss of the habitat additional land has been identified close to the site to provide enhanced habitat, as mitigation, which can be managed and maintained in perpetuity. This land covers an area of 6.4 hectares on the corner of Bullen Road and Calthorpe Road. The mitigation site would be kept free of activity in order to ensure that any curlews using it would not be disturbed by animals or human activity, enhanced to provide optimum curlew habitat and would also be managed in line with ecological practices in perpetuity. This is considered by officers to result in significant enhancement over and above the existing site IOW 46 and would potentially encourage its use for greater numbers of birds.
- 1.11** The applicant has submitted a curlew mitigation and enhancements plan and a management plan for the long-term maintenance of the mitigation land. These documents have been consulted upon with Natural England and an updated Habitat Regulations Assessment has been undertaken by officers, which has been agreed with Natural England. It is therefore considered that the proposed additional land outside of the red line boundary would be appropriate to mitigate for the loss of site IOW 46. The mitigation land and enhancement plan is shown below:



**1.12** In order to ensure that the land is retained for this purpose and maintained appropriately for optimum curlew habitat the section 106 agreement would be amended to include provision for these works. This matter has been bought back to committee for consideration of the revised habitat enhancement and mitigation works to compensate for the loss of curlew habitat and the associated required change to the heads of terms listed within the previous recommendation. The requirement for the mitigation land and management plan being added.

### Human rights

**1.13** As outlined above the LPA have been provided with information to confirm that the family with a tenancy have exchanged contracts for the unconditional surrender of the agricultural tenancy.

**1.14** Third parties raised concerns to the original application on the grounds of human rights. These concerns relating to the impact from additional traffic, the submission of the application during the covid pandemic and that the scheme would deny the family operating the farm employment, a home and an income. Officers consider it appropriate to update this section in light of the surrender of the tenancy.

**1.15** The original report commented that “ultimately, potential interference with human rights, and personal circumstances are a material planning consideration. The weight to be attached to those considerations is entirely a matter for the decision maker.” It went on to outline that “In forming the recommendation, officers had regard to all of the material planning considerations and specific regard to the need to balance the social and economic benefits of providing 472 additional homes against the loss of the existing tenant to continue to farm and live on this land. The local planning authority has to balance the material planning considerations as against the development plan which informs its recommendation. Officers

considers that a decision to approve planning permission in the form identified in this report strikes the correct balance for the purpose of the proportionality and legitimacy of interference with Convention rights.” This is considered to remain the same, but officers would attribute less weight to this issue in light of the change in circumstances. This change does not result in any alterations to the recommendation.

## **2. Options**

**2.1** It is considered that the following options are available to Councillors:

1. To agree the amended heads of terms to the legal agreement, to include provision for the additional mitigation land, mitigation and enhancement plan and management plan and that the enhancement works should be undertaken and the land managed and maintained in perpetuity and resolve to permit the proposed development.
2. To require alternative mitigation.
3. Reconsider the application in its entirety.

## **3 Conclusions and recommendation**

**3.1** The application is being brought back to committee for consideration of the revised habitat enhancement and mitigation works to compensate for the loss of curlew habitat. As a consequence, there are changes to the legal agreement heads of terms as set out within the recommendation of the original report and paragraph 1.1 above. Natural England, the relevant statutory body, have supported the proposed revised enhancement and mitigation work.

**3.2** It is the opinion of officers that no other material matters have changed to justify any other elements of the permission being reconsidered. Furthermore, officers are satisfied in light of Natural England advice, that the revised enhancement and mitigation works are appropriate and acceptable so options 2 and 3 are not recommended.

**3.3** Officers therefore recommend that Planning Committee agrees the amended heads of terms to the legal agreement, to include provision for the additional mitigation land, mitigation and enhancement plan and management plan and that the enhancement works should be undertaken and the land managed and maintained in perpetuity and resolve to permit the proposed development.

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**UPDATE FOLLOWING THE PUBLICATION OF A REPORT TO THE PLANNING COMMITTEE  
– TUESDAY 21<sup>ST</sup> MARCH 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 (Revised plans, revised drainage strategy and flood risk, additional highway technical note and updated appendix S to highway chapter of environmental statement)(readvertised application) 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**

An additional letter of representation has been received raising concerns in respect of matters that can be summarised as following:

- Who provided the count data?
- Who were the surveys undertaken by?
- If it is not clear how many times the site was surveyed the data is not sufficiently robust to qualify the usage of curlews and therefore its importance to curlews

- 15 curlews is not insignificant having regard for local populations in the New Forest being just 40 breeding pairs. Core area comparisons are unrealistic.
- New habitat must be in place and established before any development
- New habitat may be attractive but the landscape isn't. The curlews may use this habitat with no qualms, but they may not do so.
- The presence of development opposed to farmland may deter its use and their flight path may be disrupted and disturbed.

### **Officer conclusion**

The count data was provided by Hampshire County Council's Hampshire Biodiversity Information Centre. The Strategy sets out that "Sites were surveyed by expert surveyors including WeBS counters and trained volunteers. Three years of ground-truthing and bird movement survey work was carried out in three geographical phases: the Eastern Solent; the Western Solent, and the Isle of Wight. The Eastern Solent data gathering took place in the winter of 2016/17, the Western Solent in 2017/18 and the Isle of Wight in 2018/19. Over 25 surveyors took part".

The identification of the site as 'low use' is defined by the Strategy itself.

The 'Summary of Survey Results' within the Strategy (section 2.3) sets out that:

"Over 25,000 records have been collated since the winter of 2006-7, with over 10,000 gathered during 2020 survey period. Of the 1,036 sites identified for survey, 802 sites had records for waders and 649 had records for brent geese.

A total of 24 different wading bird species were recorded, with curlew, oystercatcher and redshank being the most frequently recorded species, the highest individual count was for dunlin with 15,000 recorded twice in Chichester Harbour in a single location. For brent geese, counts were reported for numbers in excess of 3,000, with maximum counts of 3,500 at Farlington Marshes and 4070 on Hayling Island"

In allocating points to sites three metrics were used with points allocated accordingly:

- 1) Comparison to national population thresholds
  - 0: site has less than the GB threshold for any species
  - 1: site has more than the GB threshold for any species
- 2) Comparison to SPA designated features of interest
  - 0: site has <1% of SPA's designated population
  - 2: site has 1-5% of SPA's designated population
  - 3: site has >5% of SPA's designated population
- 3) Features of interest
  - 0: site has <1% of SPA's designated assemblage population
  - 2: site has 1-5% of SPA's designated assemblage population
  - 3: site has >5% of SPA's designated assemblage population
- 4) Local value
  - 0: site has no records higher than the local value for any species
  - 1: site has more than one record higher than the local value of any species
- 5) Max count of any target species recorded on site

- 6) Species incidence
  - 0: sites not passing the two species incidence metric thresholds
  - 1: site passing the two species incidence metric thresholds
- 7) Network score (sites were included for their network value if they scored:
  - 2 or higher for bottlenecks and/or
  - 2 or higher for hubs

Low use sites are identified as those which are gained a score of 0.

The Strategy includes a section (3.3) of the limitations of the data, which outlines that “It is important to recognise several limitations of the data. The use of sites fluctuates with population size, which is dependent on breeding success at summer breeding grounds; usage can therefore change from year to year. In certain winters the numbers of juvenile brent geese can be relatively low and therefore recent surveys may not be representative of sites used by these birds in more productive years.

The use of some sites will vary if the land use or management changes. For example, if a field is ploughed or allowed to scrub over, it will no longer be suitable to for use. The data therefore can only reflect the use of sites as dictated by their management regime during the study period.

The use of many sites is affected by disturbance from, for example, recreational activity, which can also vary considerably according to (i) day of the week e.g. greater use of sports pitches at weekends and Wednesday afternoons (ii) weather e.g. more dog walkers, golfers etc. may be present during dry weather. It is also likely that data collection by recorders has been biased towards (i) weekends and (ii) dry weather, which may mean numbers have been under recorded, as these are the times when higher levels of disturbance are likely.

The complete use of sites under extreme weather conditions is also unlikely to have been captured. For example, in extreme winters brent geese have been known to fly far inland to find suitable feeding sources, this has been observed over the course of the surveys and may occur again in future years.

In addition, recorder effort has been unevenly distributed with the result that some sites have been counted more regularly than others. Ideally, sites should have been counted every two weeks. This has been addressed in part by applying the new classification method for low use and candidate sites.”

The current site IOW 46 is impacted by land management changes where it could be no longer suitable, while the proposed mitigation land would be protected from changes and recreational disturbance.

Officers recognise that no data has been provided for visits when no birds were counted. Only positive counts were reported. However, as set out in the above extract sites should have been counted every two weeks.

The mitigation would be secured prior to the land being lost as part of the requirement of the Section 106 Agreement.

Officers cannot dispute that the mitigation land may or may not be used. However, this could be said of any habitat provision/enhancements. There is an accepted practice of translocation and mitigation/enhancement and the proposed scheme has been agreed with Natural England as suitable mitigation.

The Strategy references a case study of a site in Portsmouth, which developed an area of playing field. "The mitigation involved creating a Brent goose "refuge" and area of fenced-off grassland close to the area being lost. The refuge area was a success and post-mitigation monitoring has shown that geese continue to use the site".

No change to recommendation.

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

21<sup>st</sup> March 2023



# Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and Time	<b>TUESDAY 21 MARCH 2023 COMMENCING AT 4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs J Medland (Chairman), W Drew (Vice-Chairman), D Andre, G Brodie, C Critchison, C Jarman, M Oliver, C Quirk, P Spink, N Stuart
Co-opted	E Cox (IWALC Representative) (Non-Voting)
Also Present	Cllrs P Fuller (Cabinet Member for Planning and Enforcement), J Jones-Evans, K Lucioni
Also Present (Virtual)	C Ashman, M Bartlett, O Boulter, R Chick, B Gard, N Troughton (or behalf of Island Roads) and S Wilkinson Cllrs S Ellis, I Stephens C Potter
Apologies	Cllrs D Adams and M Price

## 23. **Apologies and Changes in Membership (if any)**

It was noted that Councillor D Adams had been substituted by Councillor M Lilley and Councillor M Price had been substituted by Councillor V Churchman.

## 24. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 22 November 2022 be approved.

## 25. **Declarations of Interest**

Councillor J Medland declared an interest in minute number 27 (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 C Jarman advised that he had not attended the arranged site visit, however he had previously attended site visits to the site and was satisfied that he was familiar with the sites to take part and vote on the applications being considered.

Councillor D Andre declared an interest in minute number 27 (Land known as Pennyfeathers land to the south of Smallbrook Lane and to the west of, Brading Road, Ryde) as she was the Cabinet Member for Children's Services, Education and Lifelong Skills and the scheme included land for a new school.

Councillor W Drew declared an interest in minute number 27 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he had made comments on the application, he would leave the room for the application

Councillor C Quirk declared an interest in minute number 27 (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.

Councillor M Lilley declared an interest in minute number 27 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he objected to the application, he would not take part in the debate or vote on the application.

Councillor M Lilley declared an interest in minute number 27 (Land known as Pennyfeathers land to the south of Smallbrook Lane and to the west of, Brading Road, Ryde) as he was the Local Councillor previously, he would not take part in the debate or vote on the application

Councillor M Lilley declared an interest in minute number 27 (Victoria Barracks, Albany Road, East Cowes) as he had not attended the arranged site visit, he had attended the site on his own to familiarise himself, he was satisfied that he knew the site and would take part and vote on the application.

Councillor P Spink declared an interest in minute number 27 (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 a 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 as his concerns related to the procedure in respect of the previous meeting only.

Councillor G Brodie declared an interest in minute number 27 (Land south of Appley Road North of Bullen Road and east of Hope Road (West Acre Park), Ryde, Isle of Wight) as he had been on the planning committee for the previous consideration.

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

There were no public questions submitted.

27. **Election of Chairman**

Both the Chairman and Vice Chairman left the room.

In the absence of the Chairman and Vice Chairman nominations were requested by the Clerk for a Chairman for the 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 Cllr N Stuart be the Chairman for the next item of business.

28. **Report of the Strategic Manager for Planning and Infrastructure**

Consideration was given to items 1 - 3 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, 17 March 2023.

**Additional Representations:**

An additional letter of representation had been received by the Local Planning Authority since the report had been published which was summarised in the update paper.

**Comment:**

The Committee questioned if officers could clarify what they were considering as part of the application, the Legal Officer advised that the Committee were considering the application in its entirety and all decision options were available to them regarding the application.

A proposal to defer the application in light of the advice given and discussion taken place at the meeting was made and duly seconded

A named vote was requested the result of which was:

For (8)

Cllrs D Andre, G Brodie, C Critchison, C Jarman, M Lilley, C Quirk, P Spink, N Stuart

Against (2)

Cllrs V Churchman, M Oliver

**Decision:**

RESOLVED:

THAT the item be deferred.

Cllrs W Drew and J Medland returned to the room, Cllr J Medland took the Chair for the remaining items on the agenda.

**Application:**

22/02168/FUL

**Details:**

Remedial work to existing buildings to include internal and external changes, altered fenestration, roof glazing, demolition of outbuildings, storage areas/lean-to shed; new single storey extension; landscaping works, to include reconfigured parking layout, new steps, ramps and handrails, and replacement access barrier; change of use of barracks building for training/education and residential boarding accommodation,



and use of guardhouse as a store (revised description) (re-advertised application)

Victoria Barracks, Albany Road, East Cowes.

**Site Visits:**

The site visit was carried out on Friday, 17 March 2023.

**Public Participants:**

Mr C Palin – on behalf of East Cowes Town Council

Councillor J Jones-Evans – as Cabinet Member for Levelling up, Regeneration, Business Development and Tourism

**Additional Representations:**

Further discussions had taken place with the agent for the applications regarding pre-commencement conditions, updated conditions were proposed.

**Comment:**

The Committee raised concerns regarding the rear of the building and asked what changes were proposed, they were advised that the floor level would be raised to stop any potential flooding therefore the height of the roof could not be reduced, the windows at the back would also be replaced and the number of glazing bars would be reduced.

**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

**Updated Conditions:**

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

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

2. Except where varied by details approved in accordance with other conditions of this permission, the development hereby permitted shall only be carried out in accordance with the details shown on the submitted plans, numbered:

0001 Planning – Location Plan and Proposed Site Development

Plan

0005 Planning – Proposed GA Ground Floor and Site Plan

0006 Planning – Proposed GA First Floor Plan

0007 Planning – Proposed GA Elevations

0008 Planning – Proposed GA Sections

0009 Planning – Proposed Guardhouse Plans, GA Elevations and Sections

0500 P1 External Landscaping Plan

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

3. Prior to commencement of the development, the applicant/developer shall afford access to the staff of the County Archaeology and Historic Environment Service, and shall enable them to record the barracks, guardhouse, and associated features.

Notification of commencement of development, and information as to whom the archaeologist should contact on site, shall be given in writing to the address below not less than 14 days before the commencement of any works:-

Isle of Wight County Archaeology and Historic Environment Service  
Westridge Centre  
Brading Road  
Ryde  
Isle of Wight  
PO33 1QS

**Reason:** This a pre-commencement condition to mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets prior to the works being carried out would be preserved by record in accordance with policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy and the National Planning Policy Framework.

4. Notwithstanding the submitted details, no development shall take place until an Arboreal Method Statement (AMS) 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. The submitted AMS shall incorporate the measures set out in the submitted East Cowes Barracks: Method Statement, and the submitted External Landscaping Plan, drawing number 0500 P1, unless otherwise agreed in writing with the Local Planning Authority, and include

details of protective tree fencing to be installed for the duration of construction works. The agreed method statement (AMS) will then be adhered to throughout the development of the site.

**Reason:** This 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 the amenities, character and appearance of the East Cowes (Esplanade) Conservation Area, and to comply with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

5. Development (other than demolition and remedial works to the existing buildings hereby permitted) shall not begin until a scheme for the drainage and disposal of surface and foul water from the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Foul drainage shall be connected to the public sewer served by Southern Water's Wastewater Treatment Works at Sandown. Development shall be carried out in accordance with the approved scheme, and the approved drainage works completed prior to the building(s) being brought into use.

**Reason:** To ensure that the site would be suitably drained, to protect water quality, and prevent harmful impacts on Habitats (SPA/SAC) Sites within the Solent Catchment, to reduce flood risks, and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy.

6. Development (other than demolition and remedial works to the existing buildings hereby permitted) shall not begin until there has been submitted to and approved in writing by the Local Planning Authority parts a) and b) below. Parts c) and d) shall be required as necessary.
  - a) a desk-top study documenting all previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) Guidance and BS10175:2011+A2:2017, and which also considers UXO risk; and, unless otherwise agreed in writing by the Local Planning Authority,
  - b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk-top study in accordance with BS10175:

2011+A2:2017 – “Investigation of Potentially Contaminated Sites – Code of Practice”; and, unless otherwise agreed in writing by the Local Planning Authority,

- c) a remediation scheme to deal with any contaminant including an implementation timetable, monitoring proposals and a remediation verification methodology. The verification methodology shall include a sampling and analysis programme to confirm the adequacy of decontamination and an appropriately qualified person shall oversee the implementation of all remediation;
- d) The investigator shall provide a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been carried out.

Development (other than demolition and remedial works to the existing buildings) shall not begin until such time as is approved in writing by the Local Planning Authority.

If, during development, any areas of contamination are found to be present at the site then, unless otherwise agreed in writing with the Local Planning Authority, no further development shall be carried out until a remediation strategy detailing how this contamination would be dealt with has been submitted to and approved in writing by the Local Authority.

**Reason:** To protect the environment, prevent harm to human health, and ensure the site would be suitable for the use hereby permitted by ensuring that, where necessary, the land would be remediated to an appropriate standard in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy, the National Planning Policy Framework, and Part 2A of the Environmental Protection Act 1990.

- 7. All works to the buildings hereby permitted shall be undertaken outside of the bird nesting season (01 March to 31 August), unless supervised by a suitably qualified ecologist, and timing of works shall be in accordance with 6.2.1 of the Preliminary Ecological Appraisal (Arc Consulting Isle of Wight Ltd, dated 20 July 2022).

**Reason:** To avoid disturbance/harm to wildlife, including protected species, and damage to their nests 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 and the National Planning Policy Framework.

- 8. No construction work shall proceed above foundation level until details of flood resilient measures to be incorporated into the

development have been submitted to and approved in writing by the Local Planning Authority. Submitted details shall have regard to the measures set out in section 7 of the submitted Flood Risk Assessment (dated 15 November 2022). Development shall be carried out in accordance with the approved details.

**Reason:** To reduce flood risks to the development and surrounding land in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.

9. Notwithstanding the submitted plans/details, construction of the extension hereby permitted shall not proceed above foundation level until the details of the materials and finishes (including colour) to be used in the construction of the external surfaces of the extension 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:** To ensure the character and appearance of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

10. The materials to be used in any exterior work to the existing buildings hereby permitted shall match the materials used in the construction of the exterior of the buildings, unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure the character and appearance of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

11. No new or replacement window, roof glazing, or external door shall be installed until details of new/replacement windows, roof glazing and external doors to be installed have been submitted to and approved in writing by the Local Planning Authority. Submitted details shall include specifications detailing the size and

proportions of the units to be installed, details of the glazing, materials, finishes and colour. Development shall be carried out in accordance with the approved details.

**Reason:** To ensure the character and appearance of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

12. Any roof underlining used in the development hereby permitted shall include bitumen roofing felt only, and not breathable roofing membranes.

**Reason:** To prevent harm to protected bat species 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.

13. Notwithstanding the submitted plans, no landscaping works hereby permitted, including hard surfacing, means of enclosure/boundary treatments, or construction of the access ramps/steps, shall begin and the buildings shall not be brought into use until the following details have been submitted to and approved in writing by the Local Planning Authority:

- Hard surfacing materials
- Means of enclosure and boundary treatments – including any barrier to be erected at the Albany Road vehicular access
- Finished levels
- Access ramp/steps and guardrail height, design, and appearance (including materials, finishes and colour)
- Recycling and refuse storage facilities
- Timetable for the carrying out and completion of the landscaping works

Submitted details shall have regard to sections 7 and 8 of the submitted Flood Risk Assessment (dated 15 November 2022), as well as the Council's Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document.

Development shall be carried out in accordance with the approved details and timetable, and the agreed recycling and refuse storage facilities shall be provided prior to the buildings being brought into

use and thereafter maintained and retained in accordance with the approved details.

**Reason:** To ensure the character and appearance and setting of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

14. Prior to occupation of the barracks building bat and bird boxes shall be installed within the building/site in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The boxes shall be installed in accordance with the approved details before the barracks building is brought into use.

**Reason:** To ensure ecology and biodiversity would be enhanced 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 and the National Planning Policy Framework.

15. Prior to the buildings being brought into use, details of the refurbishment of the existing boundary railings, and a timetable for completion of these works, shall be submitted to and approved in writing by the Local Planning Authority. Refurbishment of the boundary railings shall be carried out and completed in accordance with the agreed details and timetable.

**Reason:** To ensure the setting of the locally listed buildings, and the character and appearance of the East Cowes (Esplanade) Conservation Area would be preserved and enhanced in accordance with the aims of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy, the National Planning Policy Framework, and to reflect the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

16. The use hereby permitted shall not begin until space has been laid out within the site in accordance with drawing number 0005, and the details agreed in accordance with condition 14, for vehicles to park and turn within the site so they may enter and leave in forward gear. Thereafter this space shall not be used for any purpose other than that approved in accordance with this condition.

**Reason:** To ensure an adequate level of on-site parking would be provided to serve the development, in the interests of highway safety, and to comply with the aims of policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

17. Prior to commencement of the use hereby permitted a parking management and travel plan for the site, including measures to discourage travel to the site by motor vehicles and promote more sustainable modes of transport, shall be submitted to and approved in writing by the Local Planning Authority. The agreed parking management and travel plan shall be implemented and adhered to for the duration of the use hereby permitted.

**Reason:** In the interests of highway safety and to promote sustainable travel in accordance with the aims of policies DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.

18. The use hereby permitted shall not begin until a Flood Warning and Evacuation Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall have regard to the Council's most up-to-date version of its Flood Warning and Evacuation Plan guidance. The approved plan shall be implemented and adhered to for the duration of the use hereby permitted.

**Reason:** To ensure residual flood risks would be appropriately managed and that the development would be safe for all users through its lifetime in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.

19. Prior to the barracks building being brought into use, the building finished floor level on the ground floor where it provides for overnight (sleeping) accommodation and/or means of escape from the building to Maresfield Road shall be raised so that it is no lower than 4.10 metres above Ordnance Datum (AOD) in accordance with section 5.8 and 7 of the submitted Flood Risk Assessment (dated 15 November 2022). Thereafter, the finished floor level of the ground floor of the building where it provides for overnight (sleeping accommodation) and/or means of escape to Maresfield Road shall not at any time be lower than 4.10 metres AOD.

**Reason:** To reduce flood risks and ensure that the development would be safe for all users through its lifetime in accordance with the aims of policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.



20. The use hereby permitted shall not begin until an SPA Code of Conduct has been submitted to and approved in writing by the Local Planning Authority. The submitted code shall set out measures to mitigate for the potential effects of the use of the site, including offsite activities associated with that use, on the Solent and Dorset Coast SPA and the Solent and Southampton Water SPA. The agreed Code of Conduct shall be implemented and adhered to for the duration of the use hereby permitted.

**Reason:** To mitigate for potential impacts to the Solent and Dorset Coast and Solent and Southampton Water SPAs from activities associated with the use of the site hereby permitted, and to ensure the SPA would be protected and conserved in accordance with the aims of policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy, the National Planning Policy Framework, and the requirements of Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).

21. No exterior lighting shall be installed within the site as part of the development hereby permitted, except where it has been installed in accordance with an exterior lighting scheme that has been submitted to and approved in writing by the Local Planning Authority. Any submitted scheme shall include details of the location, orientation, size, height, design, and appearance of any lighting units, as well as the light temperature of the units, and shall have regard to the recommendations contained within section 6.2.2 of the submitted Preliminary Ecological Appraisal (Arc Consulting Isle of Wight Ltd, dated 20 July 2022).

**Reason:** To ensure any lighting would be designed and installed to minimise its effect on wildlife and the surrounding area 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.

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Prior to the start of the application, concern was raised that there was not sufficient time left of the meeting for the Planning Committee to hear the application and make a decision without it being rushed through. The Planning Committee was advised that the meeting commenced at 4pm and was scheduled to last for three hours, the Council's Constitution allowed for a meeting to be extended by up to an hour subject to a majority of Councillors voting for the extension.

**Application:**

20/02159/ARM

**Details:**

Reserved Matters Application relating to P/01456/14:  
904 residential units, school; community centre; commercial buildings;  
relocation of Westridge Garage; community energy centre; sports building  
and changing rooms; structural landscaping; play areas and associated  
highway improvements (readvertised application)

Land Known as Pennyfeathers Land to the South of Smallbrook Lane and to  
the West of, Brading Road, Ryde.

**Site Visits:**

The site visit was carried out on Friday, 17 March 2023.

**Public Participants:**

Mrs J Wade – Objector

Mr Simon Cooke – on behalf of Ryde Town Council

Mr G Hepburn – Agent

**Additional Representations:**

Island Roads had submitted final comments stating that they had no  
objection to the application, and updated conditions had been proposed.

**Comment:**

Councillor Warren Drew spoke as Local Councillor for this item.

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.

A vote was taken, of which the results were equal, the Chairman used his  
casting vote and

RESOLVED: THAT the meeting be extended up to 8pm.

The Committee questioned the amount of affordable housing being made  
available and if these properties could be made available to Island residents,  
if the modelling infrastructure was valid as traffic movements were  
significantly different now, they also questioned the solar gain and number of  
charging points being incorporated into the proposed development. Planning  
Officers advised that the legal agreement in place had set out the level of  
affordable housing as part of the outline, the modelling infrastructure  
provided when the outline application was submitted continued to be valid as  
it showed the impact on the road network once the development had been  
completed. Charging points and solar gain had not been included as this

could be controlled under the building regulation standards.

Concern was raised regarding the impact on Monkton Brook, the Committee were advised that attenuation ponds were proposed with hydro-brakes to control the speed of the flow rate and it was believed that these were adequate to reduce the impact, an informative had been proposed for works to be undertaken to clear the channel of the Monkton Brook although this could be included as a condition to ensure that it was undertaken and maintained.

There was some discussion regarding the proposed energy centre, officers informed the Committee that the requirement of the energy centre was based on a stipulation in the Island Core Strategy and secured as part of the legal agreement, therefore it had to be provided as part of the scheme, there may be a requirement to adapt this in the future due to governments climate strategy.

The Committee questioned the comments made by the Crime prevention Design Advisor they were advised that officers were confirmed that these were considered in the layout, but were concerned with the height of some fences and believed that this could be controlled with the right boundary landscaping, lighting of the site would be controlled so it was appropriate and open spaces would have natural surveillance as far as practicable for their size

Concerns were raised in respect of the financial strength of the landowners/developers to undertake all of the required provisions. Legal advised that due diligence had been undertaken when producing the section 106 agreement with all landowners.

The Council's constitution Part 4B, Procedure Rules Governing how Full Council, Cabinet, Committees, Sub-Committees and Boards operate (Duration of Meetings) The Committee had extended the meeting for an hour and asked what would happen following this time, it was suggested that the matter would need to be concluded at a later date.

Concern was raised that there would be six weeks before the next Planning Committee meeting and they were advised that an option could be to look at the corporate diary and reconvene in advance of the next meeting of the Planning Committee.

It was proposed that an additional meeting was arranged to continue the discussion and debate on this item only, which was duly seconded. A vote was taken the result of which was:

RESOLVED:

THAT an additional meeting of the Planning Committee would be arranged to continue the consideration of the application.

29. **Members' Question Time**

Due to time constraints this item was not considered.

CHAIRMAN