

# Public Document Pack



Monitoring Officer  
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## Agenda

Name of meeting	<b>PLANNING COMMITTEE</b>
Date	<b>TUESDAY 13 JUNE 2023</b>
Time	<b>4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Members of the Committee	<p>Cllrs W Drew (Chairman), C Quirk (Vice-Chairman), D Andre, J Bacon, G Brodie, V Churchman, C Critchison, J Jones-Evans, M Oliver, M Price, P Spink, N Stuart</p> <p>E Cox (IWALC representative) (non-voting)</p> <p>Cllr P Fuller (Cabinet Member for Planning, Coastal Protection and Flooding) (Non-voting)</p> <p>Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk</p>

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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** (Pages 5 - 10)

To confirm as a true record the Minutes of the meeting held on 25 April 2023.

3. **Declarations of Interest**

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



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

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 electronic mail to Democratic Services at [democratic.services@iow.gov.uk](mailto:democratic.services@iow.gov.uk) no later than two clear working days before the start of the meeting. Normally, Planning Committee is held on a Tuesday, therefore the deadline for written questions will be Thursday, 8 June 2023.

5. **Report of the Strategic Manager for Planning and Infrastructure** (Pages 11 - 98)

Planning applications and related matters.

6. **2022/23 Decision review, monitoring and Appeals performance report** (Pages 99 - 108)

7. **Members' Question Time**

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to [democratic.services@iow.gov.uk](mailto:democratic.services@iow.gov.uk) no later than 4.00 pm on Friday 9 June 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, 5 June 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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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 25 APRIL 2023 COMMENCING AT 4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Clrs J Medland (Chairman), D Adams, D Andre, P Brading, G Brodie, C Critchison, C Jarman, M Oliver, M Price, C Quirk, P Spink, N Stuart and Cox
Co-opted	E Cox (IWALC)
Also Present	Oliver Boulter, Russell Chick, Justin Thorne, Neil Troughton and Sarah Wilkinson
Also Present (Virtual)	Ben Gard

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

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

### 37. **Minutes**

#### 37a **21 March 2023**

RESOLVED:

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

#### 37b **12 April 2023**

RESOLVED:

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

### 38. **Declarations of Interest**

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

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

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

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

**39. Election of Chairman**

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

Cllrs C Quirk and N Stuart were nominated and duly seconded

A vote was taken, the result of which was:

RESOLVED:

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

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

There were no public questions submitted.

The Chairman left the room.

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

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

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

**Application:**

20/01061/FUL

**Details:**

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

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

**Site Visits:**

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

**Public Participants:**

Mr M Gaskin – on behalf of Objectors

Mr S Cooke – on behalf of Ryde Town Council

Mr I Delaney - Applicant

**Additional Representations:**

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

**Comment:**

Councillor M Lilley spoke as Local Member for this item.

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

RESOLVED:

THAT the committee agreed with the Chairman's process.

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

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

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

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

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

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

For (5)

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

Against (6)

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

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

A named vote was requested the result of which was:

For (6)

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

Against (5)

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



**Decision:**

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

**RESOLVED:**

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

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

**42. Members' Question Time**

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

CHAIRMAN

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## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 13 JUNE 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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## INDEX

1	22/01931/FUL	Parish: Yarmouth	
	Tapnell Farm, Newport Road, Freshwater.	Ward: Freshwater North And Yarmouth	<b>Conditional Approval</b>
	32 tourism pods & associated landscaping		
2	21/01884/FUL	Parish: Bembridge	
	Land off Hillway Road and Steyne Road, Bembridge.	Ward: Bembridge	<b>Conditional Approval</b>
	Proposed Development of 56 Dwellings, means of access off Hillway Road and Steyne Road associated landscaping and infrastructure (Revised plans; additional information relating to landscaping and drainage) (readvertised application)		

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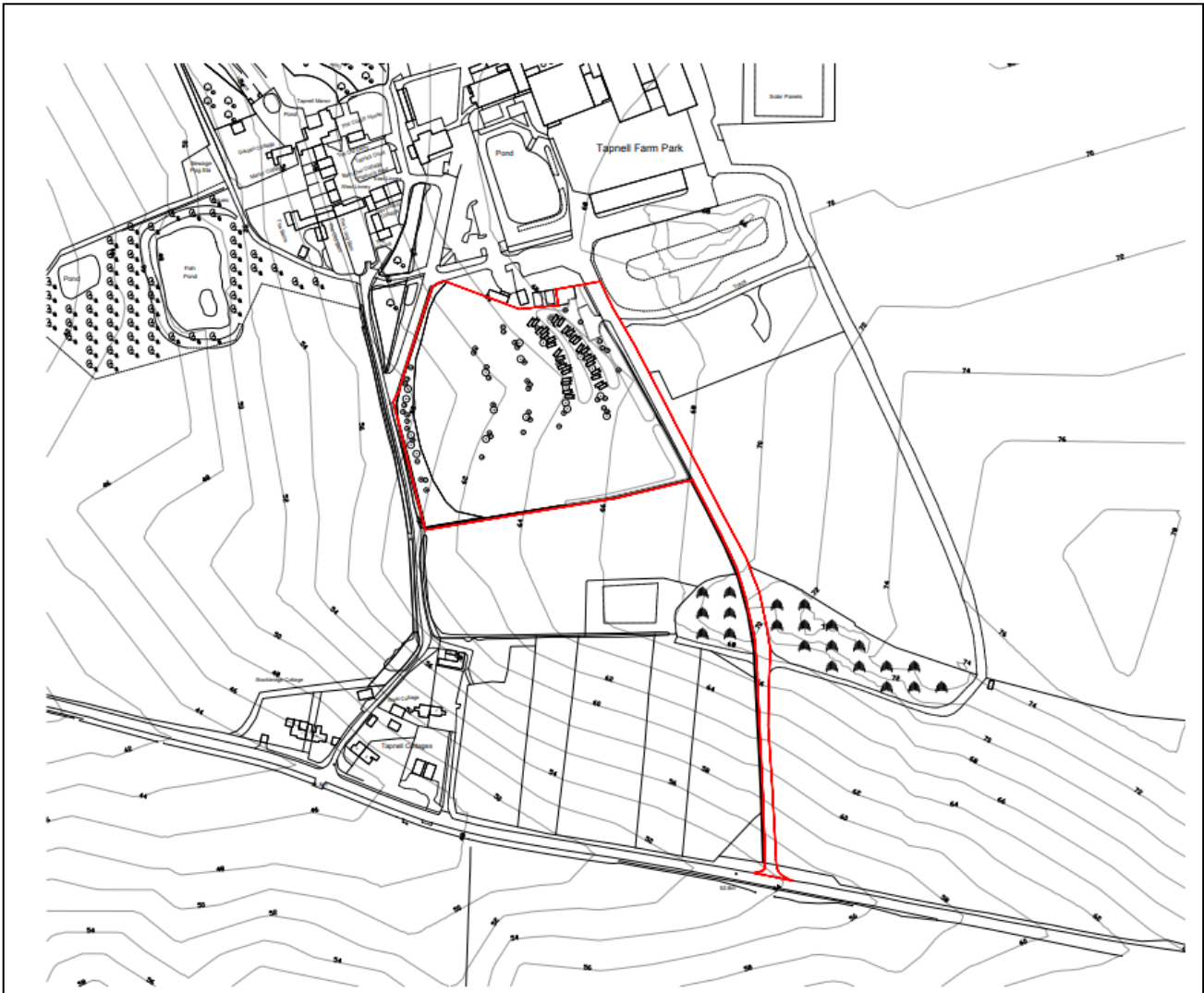
Purpose: For Decision

## Planning Committee Report

Report of	<b>STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE DELIVERY</b>
Date	<b>13 JUNE 2023</b>
Application Reference	<a href="#"><u>22/01931/FUL</u></a>
Application type	Full Planning Permission
Application Description	32 tourism pods & associated landscaping
Site address	Tapnell Farm, Newport Road, Freshwater, Isle of Wight PO410YJ
Parish	Yarmouth
Ward Councillor	Cllr Peter Spink
Applicant	Messrs Thomas, Andrew & Tom Turney & Honeyman Brown
Planning Officer	Lizzy Hardy

Reason for Planning Committee consideration	The Chairman of the Planning Committee has agreed a call in request by the local member, given that the application is considered to raise marginal and difficult policy issues due to the elevated nature of the site, the landscape impact of the development and the design of the tourism units.
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Recommendation	Conditional permission subject to the completion of a Legal Agreement securing a Land Management Plan for nitrate neutrality.
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## **Main considerations**

- Principle of development
- Impact on the character of the area
- Highway considerations
- Ecology and Trees
- Impact upon the Solent Special Protection Area Habitat Sites
- Impact on neighbouring properties/uses

## **1 Recommendation**

**1.1** Conditional permission subject to planning conditions covering the following matters:

- Compliance with submitted plans
- Materials to be used
- Landscaping works
- External lighting
- Foul drainage connection
- Holiday occupancy only



The permission would also be subject to a planning obligation securing a Land Management Plan for the application site to secure the following mitigation to ensure the development is nitrate neutral:

- No agricultural use permitted within the red lined application site
- No grazing of animals on the area of 'greenspace'
- No fertilisers to be applied to the land
- No amenity grass mixes to be sown on the land
- Provision of dog waste bins and agreement of scheme for regular clearance of waste

## **2 Location and Site Characteristics**

- 2.1** Tapnell Farm consists of a complex of farm buildings located to the north of the Newport Road in a rural setting on a plateau approximately 3km to the east of Freshwater and 2km to the south of Thorley. The farm buildings and surrounding land at Tapnell Farm have been converted/developed to create a farm tourist attraction, including a farm park, café, restaurant, football golf course, aqua park and holiday accommodation.
- 2.2** There are open agricultural fields to the north, east and west of the farm park complex, with Tapnell Farmhouse and its associated outbuildings, many of which have been converted into residential properties to the west of the application site. Vehicular access to the Tapnell Farm Park complex is via an access track from Newport Road. The application site lies on the western side of this vehicular access track to the southern side of the farm park and currently contains a timber clad w.c/shower block within the north-east corner of the application site, an approved area for the siting of bell tents as part of the existing seasonal campsite use, and an area of parking hardstanding with the rest of the application site laid to grass.
- 2.3** Public Right of Way Y9 runs along the southern boundary of the application site before crossing the farm access track and continuing east towards Broad Lane.
- 2.4** The application site is not located within the AONB designation, however the downland to the south of Newport Road does lie within the AONB.

## **3 Details of Application**

- 3.1** The application seeks full planning permission for the siting of 32 tourism pods consisting of sleeping accommodation only. Each unit is shown to be 7.3m in length, 2.5m in width and 2.6m in height and is proposed to be positioned on the ground on bearers, with no permanent fixings to the land. The proposal also includes associated landscaping over the field to the west and south of the pods to include;
- 1,900m<sup>2</sup> of tree/scrub planting
  - 70 native trees
  - 195m of mixed native hedge
  - 21,300m<sup>2</sup> meadow grassland

- 3.2 The pods are proposed to be generally grouped together and arranged in single, twin or triple formations. The pods are proposed to be clad with rough sawn vertical timber and stained in earth tone colours, with the south and west elevations of the pods to include trellised living walls. The doors to the pods are positioned to the north-east/ eastern elevations and windows are positioned to the west/southwest elevations concealed with louvres.
- 3.3 No wired lighting is proposed to be provided within the Pods, with torches and battery-operated lanterns / light fittings being the only light source within the pods. Low-level bollards with recessed directional light fittings are proposed at 10m spacings on the paths alongside the Pods, which would be controlled to switch off all lights after 10pm following which point the lights would only be activated by sensors.
- 3.4 The current proposal is for the pods to be mainly used by groups associated with 'Camp Libertas' which partnered with Tapnell Farm in 2022 to offer children from 8 – 15 years old activity holidays. Whilst the Camp Libertas use of the pods is likely to be orientated mainly around the summer season, the pods are proposed to be available for rental all year round.
- 3.5 The plans show that the site would be accessed via the existing and previously consented access track, that leads from the B3399 Newport Road. This would lead into a small parking turning area, west of the main access to Tapnell Farm Park.

#### **4 Relevant History**

- 4.1 The overall Tapnell Farm site has an extensive planning history, however the following applications relate specifically to the land within the red lined application site.
- 4.2 P/00268/17 - Proposed part material change of use to the land as a seasonal campsite running from 1st May to 30th September per calendar year; proposed toilet and shower block with ancillary infrastructure and landscaping – Granted 30/05/2017
- 4.3 P/00253/15 - Proposed change of use to provide an activity centre including high ropes & zorbing course; single storey building to provide reception, store and office – Granted 05/05/2015
- 4.4 19/01038/FUL - Retention of 5 glamping domes; proposed 2 glamping domes; proposed en-suites for each dome – Refused 08/11/2019

#### **5 Development Plan Policy**

##### National Planning Policy

- 5.1 The National Planning Policy Framework (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-

date, granting permission unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

The following sections of the NPPF are considered to be directly relevant to this planning application:

Section 2 - Achieving sustainable development

Section 6 - Building a strong, competitive economy

Section 15 - Conserving and enhancing the natural environment

#### Local Planning Policy

- 5.2** The Island Plan Core Strategy identifies the application site as being located within the Wider Rural Area. The following policies are considered to be relevant to this application:

- SP1 Spatial Strategy
- SP3 Economy
- SP4 Tourism
- SP5 Environment
- SP7 Travel
- DM2 Design Quality for New Development
- DM8 Economic Development
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM17 Sustainable Travel

#### Neighbourhood Planning Policy

- 5.3** There is no adopted neighbourhood plan in place covering the application site.

#### Relevant Supplementary Planning Documents (SPDs) and other planning guidance

- 5.4** In arriving at the recommendation in this report officers have given due regard to the following documents:

- Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD)
- Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document (SPD)
- Isle of Wight Council Position Statement: Nitrogen neutral housing development (January 2023)
- Solent Recreation Mitigation Strategy (December 2017)

- Isle of Wight AONB Management Plan 2019-2024

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

### Internal Consultees

- 6.1** The Ecology Officer has advised that an ecological appraisal is not required for the application due to the location and scale of development and raises no objection to the proposed landscaping scheme.
- 6.2** The Tree Officer has advised no trees of high amenity would be impacted upon by the proposed development.
- 6.3** Island Roads, commenting on behalf of the Local Highway Authority, has recommended approval.

### External Consultees

- 6.4** The AONB Partnership has advised that they have no objection to the proposal subject to the proposed landscaping, materials and external lighting being strictly conditioned and implemented.
- 6.5** Natural England has confirmed that it concurs that the proposal would not have adverse effects on Solent Habitats (SAC/SPA) Sites subject to mitigation measures secured by a planning obligation.

### Parish/Town Council Comments

- 6.6** Yarmouth Town Council object to the development for the following reasons:
- The proposed containers do not represent quality accommodation, which is not in keeping with the IWC tourism policy.
  - The proposed planting scheme does not include sufficient native species.
  - The application represents over-development and urbanisation of the site in an AONB.
  - The units will be in situ throughout the year, whereas the existing tents are only erected during the tourist season.

### Third Party Representations

- 6.7** Two representations have been received, objecting, and raising the following summarised comments/concerns:
- Impact to dark skies of the AONB.
  - Adverse impact to residents from light spillage.
  - Proposal would significantly increase the impacts to the landscape compared to the existing campsite use due to the bulk and mass of the proposed units and because the site can be seen from many vantage points from the AONB.
  - The campsite use only occurs (bell tents in situ) between May and September, whereas the pods would be on site all year round.
  - Submission hasn't justified why the pods have to be in this location and

couldn't be elsewhere within the complex.

- Because one of the key vantage points overlooking the site is from higher land, the proposed planting would not mitigate the visual impact.
- The approved campsite scheme is not of significant enough weight to allow this application, as the harm to the AONB is greater.
- Insufficient level of information has been provided to evidence that the proposal would not impact upon the SPA.
- Proposal fails to be in accordance with Policies SP5, DM2, DM12 and DM15.

**6.8** A total of 4 representations have been received, supporting the application for reasons that can be summarised as follows:

- Proposal would bring a much-needed boost in the schools and groups visits accommodation sector in a location that would deliver long and lasting memories for visitors.
- Proposal would help promote tourism on the Isle of Wight.
- The pods would significantly improve the quality of accommodation on offer to Camp Libertas students and enable the company to attract a much greater number of schools including ones located abroad.
- As Tapnell looks to expand their accommodation provision out-of-season, the 'pods' would provide a year-round solution for tourists who would prefer an alternative to tented accommodation.
- During 2022 Camp Libertas worked with over 20 IOW businesses to enable/enhance the 'Camp' experience at Tapnell which provided economic gain/promotion of those Island businesses.
- The landscaped 'pod' development would be more visually attractive than the white tents currently used on the campsite.
- Tapnell and Camp Libertas are very much aligned in their desire to support both the local, and wider, environment through introducing children to nature and outdoor activities at a young age and these proposals would enable Camp Libertas to welcome more guests to the Isle of Wight and reach a future generation of tourists.

**6.9** Wightlink support the application on the following grounds:

- Proposal provides high quality accommodation for school groups to enjoy and connect with the rural environment.
- Tourism is a vital part of the Island economy and available bed-stock currently struggles to meet the demand.
- The nature of the development offering accommodation that can be used during the shoulder season benefits the Island economy.
- The timber cladding and living wall proposals demonstrate that the design has been carefully considered to blend well with the local environment.
- The height of the pods is lower than the 20 of the existing bell tents.

**6.10** Southern Vectis support the principle of development and aims of the application to improve the tourist offer on the Island. They consider that it would add to the approach of sustainable tourism, and they will work with the applicant to ensure sustainable transport to this location.

- 6.11** The Isle of Wight Chamber of Commerce supports the application on grounds which can be summarised as follows:
- Supports the provision of high quality accommodation for children which is designed for schools and education and adds an important learning opportunity for children to interact with farming rural life.
  - The pods are designed to blend into the natural landscape and are being placed in an area which has historically been used for temporary accommodation, so it is not additional, rather a different type of accommodation.
  - The proposal also helps promote jobs in the rural West Wight of the Island.
- 6.12** Wood Learn Forest School and Wild Therapy IOW are a local business and have written in support of the application as it economically benefits local businesses such as theirs when they are asked to provide activities for the schools attending the Camp Libertas site.

## **7** **Evaluation**

### Principle of development

- 7.1** The Island Plan Core Strategy identifies the application site as being situated in the Wider Rural Area, where Policy SP1 of the Island Plan Core Strategy states that proposals for tourism related development will be supported in accordance with Policy SP4 (Tourism). Policy SP4 states that the Council will support sustainable growth in high quality tourism and proposals that increase the quality of existing tourism destinations and accommodation across the Island provided proposals utilize the unique characteristics of the historic and natural environment without compromising their integrity.
- 7.2** Policies SP3 (Economy) and SP4 (Tourism) seek to ensure that development proposals which can contribute to the Island's economy are supported and acknowledge that tourism can benefit the rural economy. SP4 also encourages proposals which will contribute to a diverse and high-quality tourism offer which will promote the Island as an all-year-round tourism destination and develop green and new niche tourism products.
- 7.3** The proposed tourism pods would form part of the tourism offer at Tapnell Farm, which is an existing, well established and high-quality tourism destination including farm park, restaurant, aqua park, target shooting range and a range of tourism accommodation types including holiday cottages, eco lodges, domes and safari tents.
- 7.4** The north-east corner of the application site already benefits from planning permission as a campsite between the 1st May to 30th September each calendar year approved under planning approval P/00268/17 for 30 bell tents, a communal activities tent and an ablution block. This campsite use has been implemented and the ablution block was constructed and brought into use to facilitate the campsite. This existing ablution block is proposed to be used in conjunction with the proposed development to provide w.c./ shower facilities for those staying in the tourism pods. The north-west corner of the application site benefits from planning permission as an activity centre including high ropes & zorbing course

under planning permission P/00253/15 which is also an implemented planning consent.

- 7.5** The applicant has confirmed that the site employs over 100 staff and that this rises above 150 in the summer with seasonal staff. In addition, the site uses many contractors and suppliers whose existence would not be viable without the farm. The applicant has also stated that the project also links in with other attractions because visitors to the site will undertake day trips to attractions and other educational providers. The applicant has confirmed that the proposals would result in an additional 10 jobs.
- 7.6** The proposed tourism pods would be located in the same area as the existing campsite use and therefore the principle of the use of this element of the site for tourism purposes is already established. Furthermore the proposal to upgrade the campsite accommodation to a type that would extend the season within which the accommodation could be used would align with the overarching objectives of Policy SP4 (Tourism) – to make the Island an all year round tourism destination, through developing green and new niche tourism products and therefore would be supported, in broad principle, in line with the aims of Policies SP1 (Spatial Strategy), SP3 (Economy) and SP4 (Tourism) of the Island Plan Core Strategy, subject to other relevant material planning considerations being satisfied which shall be discussed below. Officers consider that the benefits of the tourism accommodation would weight moderately in favour of the planning application.

#### Impact on the character of the area

- 7.7** The siting and design of any proposed development needs to conserve and enhance the character and context of the surrounding area, which in this instance also needs to take into regard the landscape character of the nearby AONB and Tennyson Heritage Coast.
- 7.8** The National Planning Policy Framework gives AONB's the highest level of protection when it comes to landscape and scenic beauty and aims to protect these areas. The Island Plan also protects the environment and landscape using Policies SP5 (Environment), DM2 (Design Quality for New Development), which outlines that development should be of high-quality design and should complement the character of the surrounding area, whilst having appropriate regard to existing constraints, and Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) which states development will only be supported where it reflects the objectives of the Wight AONB.
- 7.9** A Landscape and Visual Impact Appraisal (LVIA) has been submitted with the application which has assessed the visual impact of the proposed development from 15 public viewpoints (visual receptors) within the surrounding landscape. The conclusions of the LVIA are as follows:
- That the landscape and visual effects of the development are judged to have been mitigated through the introduction of an extensive range of measures which have been applied to the Pods themselves, including their orientation, siting, window and door openings, material choice and colour, through the use of brown roofs and through the use of landscaping (new woodland planting, specimen tree planting, new native hedge, new meadow grassland, and climbers positioned on the more sensitive western and southern face of the

Pods).

- None of the identified landscape or visual receptors is expected to receive a significant effect as a result of the proposed changes at any stage of the assessment period (construction, completion or after 15 years). Long term effects on the nearby Isle of Wight AONB landscape character areas are concluded to be negligible/ no effect after 15 years, with the woodland planting being viewed as a benefit to the wider landscape in the long term, whilst also providing screening to other parts of the existing Tapnell Farm site.
- The site does not contain any demonstrable physical attributes that would allow it to be defined as a 'valued landscape' as per paragraph 174 of the NPPF. The proposals include a range of landscape improvements, replacing the mown grass field with meadow grassland and tree planting, a new hedgerow and areas of woodland. Together these measures are considered to result in a moderate benefit to the landscape resource after a 15-year establishment period.
- The site is located on the edge of a gently sloping plateau which restricts potential visibility to lower-lying areas to the west and over rising ground and the elevated Downs to the southwest, south and southeast. As a result of these topographical changes, the site is therefore not visible from the north or east.
- The visual receptors most likely to be affected by the proposed changes are those in close proximity to the site from locations within the Farm Park and from the adjoining public right of way. Here, after a 15-year establishment period, the effects are considered to be slight adverse due to the proximity of the view to the 32no. Pods. However, their visibility will be largely concealed by the proposed landscaping and experienced in the context of the existing Farm Park uses.
- From more distant locations (lower ground to the west and elevated Downs to the southwest, south and southeast), the effects of the proposed changes on visual receptors here are considered to be negligible / no effect after a 15-year establishment period. This is considered appropriate given that the imperceptible Pods are unlikely to be visible or would be barely discernible amongst the established tree planting and other landscaping.
- The proposed Barnfield Solar Farm, located 1.2km to the northeast of the Site is not considered to have a cumulative effect on the landscape character or visual amenity of the Proposed Development.

In summary the LVIA concludes that the development approach is sensitive to the local landscape character and visual amenity through the incorporation of a range of mitigation and enhancement measures. Any effects on the landscape or visual resource are localised, and in some instances beneficial. Officers would agree with these conclusions.

- 7.10** The tourism pods would be situated on the same area of ground as a previously approved campsite which allows the erection of 30 bell tents and communal activities tent within the site between the months of May and September. Whilst the use of the approved campsite is limited to being seasonal, the w.c. block is a permanent building present on site all year round. Officers have also taken into



account the fact that planning permission P/00253/15, which has been implemented through the construction of the reception/office/store building and use of the land for zorbing, means the high ropes course (not presently constructed), which also formed part of that permission could also be constructed should the applicant wish to build out the remaining element of the approved activity centre.

**7.11** The proposed tourism pods would be rectangular structures 7.3m in length, 2.5m in width and 2.6m in height. No permanent fixings to the land are proposed with the pods positioned at ground level on bearings to follow the natural topography of the field. The submitted plans show that the 32 pods would be generally grouped together arranged in single, twin or triple formations. The walls of the pods are proposed to be clad in timber and stained in earth tone colours, with the south and west elevations of the pods to include trellised living walls to act in composite with the wider detailed landscaping proposals. The proposals detail that the roof of the pods would be finished to allow natural seed colonisation. Therefore, the pods would be relatively low-level in nature, with the proposed muted materials and planted roofs softening their landscape impact.

**7.12** The proposal includes associated landscaping over the field to the west and south of the pods to include:

- 1,900m<sup>2</sup> of tree/scrub planting
- 70no. native trees
- 195m mixed native hedge
- 21,300m<sup>2</sup> meadow grassland

A new mixed native hedge is proposed to be planted alongside the existing public right of way, which borders the southern boundary of the application site. Native woodland tree and shrub planting is proposed along the western boundary of the application site. Native specimen trees are also proposed to be planted amongst the proposed tourism pods and across the field to the west and south of the tourism pods, to follow the natural contours of the site. Mown grass paths are proposed to provide access between the pods and no new areas of hardstanding beyond the existing parking area are proposed. The remainder of the application site is proposed to be maintained as meadow grassland, planted with a seed mix to attract pollinating insects.

**7.13** The proposed planting and landscaping scheme would enhance the appearance of the application site and provide natural screening to the proposed tourism pods and other parts of the Tapnell Farm Park from locations to the west. While the site is elevated and can be seen from visual receptors to the west, officers note that the site benefits from an existing consent for tourism accommodation. The proposed pods would be low-lying in nature and it is considered that the proposed landscaping scheme once established, would screen the appearance of the pods and give the site an improved appearance.

**7.14** The tourism pods would consist of sleeping accommodation only in the form of a one roomed unit accommodating 4 beds. No wired lighting is proposed to be provided within the pods, with torches and battery-operated lanterns/light fittings being the only light source available within the pods. Externally low-level bollards with recessed directional light fittings are proposed at 10m spacings on the paths

alongside the pods to be controlled on timer switches which would turn all lights off after 10pm, following which point the lights would only be activated by sensors. It is considered therefore, that the impact of lighting associated with the scheme would be limited, and further mitigated by the proposed landscaping scheme.

- 7.15** The doors to the pods would be positioned to the north-east/ eastern elevations and windows are positioned to the west/southwest elevations concealed with louvres. This positioning of the windows and doors, the inclusion of louvres, the fact that the units would not have any wired lighting and the sensitive external lighting scheme, combined with the landscaping scheme would all limit the amount of the light pollution produced from the use of the tourism pods, especially in views from the more sensitive AONB.
- 7.16** The AONB designation begins on the southern side of the B3399, and so approximately 360m south of the application site. However, the site is overlooked from the AONB downland to the south, and therefore the AONB Partnership have made comment on the application, concluding that the low-level units, muted materials palette together with landscaping and lighting attenuation measures, would ensure no undue visual impacts would occur upon the AONB or its setting. The wider Tapnell Farm Park provides a visual backdrop to the proposed development with the proposed pods situated on the sloping hillside. Provided the landscaping and materials are strictly conditioned and implemented and the external lighting details as shown in the application are secured, the AONB Partnership have confirmed that they raise no objection to the application. The AONB Partnership's assessment of the proposal therefore concurs with the conclusions of the LVIA.
- 7.17** There are a number of listed buildings within the cluster of residential dwellings around Tapnell Farm House at Tapnell, which lies to the north-west of the application site however these buildings are situated at a minimum of 250m from the application site, with trees, and hedging lying between the application site and these listed buildings. Given the extent of the separation and screening from the listed buildings officers are satisfied that the proposal would not result in any adverse impact on the setting of these listed buildings.
- 7.18** In consideration of the above discussed matters, officers consider that, having regard to the extant consent and provided the enhanced landscaping scheme is secured, the proposals would not be overly prominent or result in a significant visual impact on the surrounding rural landscape, the wider AONB or on the setting of the nearby listed buildings. As such it is concluded that the proposed development would result in a moderate level of change that would not harm the landscape and therefore be in accordance with the aims of Policies SP5, DM2, DM11 and DM12 of the Core Strategy and Government advice contained within the NPPF.

#### Highway considerations

- 7.19** The proposed tourism units would be accessed via the existing vehicular access that serves the main Tapnell Farm Park site off Newport Road (B3399). This vehicular access also served the two extant planning permissions for the campsite and high ropes and zorbing activity centre.

- 7.20** Island Roads have confirmed that the visibility sight lines at the junction of the vehicular access road to Tapnell Farm Park with Newport Road are compliant, being in excess of the required 215m to both the east and west and that the vehicular access also benefits from a passing lane approved and implemented under a former planning approval for the site.
- 7.21** Island Roads have noted that whilst the existing campsite use is limited to between May and September, this seasonal use covers the main tourism period and therefore the envisaged busiest time period in terms of traffic generation. The fact that the proposed tourism pods are mainly orientated towards the 'Camp Libertas' partnership, providing holidays for children has also been noted by Island Roads as the likely mode of transport for the children to the site would be by minibus/coach rather than individually. The application details state that the pods would also form part of a general tourism offer outside of the main summer season to other tourists, so this use of the accommodation also has to be taken into consideration in terms of parking provision.
- 7.22** The site falls within Zone 2 as defined within the Guidelines for Parking Provision as Part of New Developments SPD. In accordance with the guidance set out within Table 5, a development of this nature should typically provide thirty-two vehicle parking spaces. There is an existing car park area within the campsite which is proposed to be retained for use in association with the proposed tourism pods. Island Roads are satisfied that this parking area would be satisfactory, as if any additional parking should be needed there is ample room within the wider Tapnell Farm site to accommodate this without resulting in any overspill parking affecting the public highway.
- 7.23** Following the above evaluation of the proposal Island Roads have raised no objection to the development and are satisfied that no highway conditions are required. Therefore, the development is considered to comply with policies SP7, DM2 and DM17 of the Island Plan, with this issue neither weighing for or against the application.

#### Ecology and Trees

- 7.24** The application site does not lie within any protected areas for wildlife. The closest designation, Tapnell Furze SINC and ancient woodland, lies approximately 400m away to the north-west of the application site. The Council's Ecology Officer has been consulted on the application and has advised that in their opinion, an ecological appraisal is not required in this instance due to the location and scale of development. The officer has also confirmed that they have no objections to the proposed landscaping which would include native species. The proposed landscaping scheme would also provide environmental benefits through the creation of additional and improved wildlife habitat.
- 7.25** The western boundary of the application site is marked by hedgerow and within the existing campsite area there is a scattering of low shrubbery planting. The Council's Tree Officer has not raised any objection to the proposed development being satisfied that no trees of high amenity would be impacted upon by the proposed development.

## Impact upon the Solent Special Protection Area Habitat Sites

- 7.26** The application site is located within the identified Solent Special Protection Area buffer zone and therefore the impact of the development on the Solent Special Protection Area in line with the requirements set out in the Bird Aware Solent Recreation Mitigation Strategy have to be taken into consideration. In this instance however it has been identified that the proposed tourism pods would result in a reduction in occupancy capacity in comparison to the existing campsite use and therefore there is no trigger for Likely Significant Effect on the Solent and Southampton Water SPA and therefore a contribution to the Bird Aware Solent scheme is not required in this instance.
- 7.27** Recent advice from Natural England is that the Southampton and Solent Waters Special Protection Area (SPA) is currently in an unfavourable condition as a result of excessive levels of nitrogen and phosphate, which has led to a detrimental impact on the habitats and species of birds to which the designation relates. In light of this and as a result of a European Court of Justice ruling known as the 'Dutch Case', developments therefore need to demonstrate that they would not add to the current unfavourable state of the SPA.
- 7.28** The Isle of Wight Council's approach for ensuring development related to housing or overnight accommodation is nitrate neutral is set out in the Isle of Wight Council Position Statement; Nitrogen Neutral Housing Development. The Position Statement has been drafted in consultation with Natural England, who have ratified the document. NE have advised the IWC that the nutrient neutrality approach applies to developments where treated effluent discharges into any Solent International Sites (or any water body (surface or groundwater) that subsequently discharges into such a site.
- 7.29** There is an existing w.c block on the application site which was constructed and used in conjunction with the existing campsite use. It is proposed that the tourism pods would use this existing w.c facility, the wastewater from which discharges to an existing package treatment plant (PTP) within the wider Tapnell Farm site and would remain to be so. The local watercourses to which the treated effluent from the PTP discharge into the Solent International Sites and therefore the proposal needs to evidence how nutrient neutrality would be achieved for the development.
- 7.30** In order to address the matter of nutrient neutrality, two nutrient budgets have been submitted which follow the methodologies set out in Natural England's guidance document. The first nitrate budget has used data to establish the nitrate load from the existing, approved and implemented planning for the campsite use that the site already benefits from under the approved planning permission P/00268/17 which allows for a total of 30 bell tents on the site which can accommodate a total of 160 guests at full capacity. The second nitrate budget has used data to establish the nitrate load from the proposed 32 tourism pods, which can accommodate 128 guests at full capacity. The nitrates budgets establish that the proposed tourism pods would result in a reduced occupancy capacity compared to the existing campsite use and hence a reduced nitrate output.
- 7.31** Whilst the proposed tourism pods have a lower occupancy capacity than the former campsite use, because the red lined application site includes a wider area of land, beyond the original area of the existing approved campsite, upon which enhanced landscaping is proposed as part of the development, Natural England

raised that it would need to be ensured that the future use of this 'greenspace' would not result in any increased nitrate load compared to the current existing use as lowland grazing. It is therefore proposed to make any planning permission subject to a land management plan to secure the following mitigation;

- No agricultural use permitted within the red lined application site
- No grazing of animals on the area of 'greenspace'
- No fertilisers to be applied to the land to create amenity grassland
- No amenity grass mixes to be sown on the land
- Provision of dog waste bins and agreement of scheme for regular clearance of waste

The land management plan would be sought to be secured through an appropriate legal agreement, which would secure a timetable for the provision of the landscape enhancement planting and provision of the dog waste bins and a future maintenance and management plan for the area of 'greenspace'.

**7.32** The Council's Habitats Regulations Assessment (HRA) concludes that subject to securing such a Land Management Plan that the proposed development would not have any adverse implications for Solent Habitats (SPA/SAC) sites. Natural England has confirmed that it agrees with the conclusions of the Council's HRA and raises no objection to the development.

**7.33** Having regard to the above, subject to completion of a planning obligation to secure the Land Management Plan, it is concluded that the development would have no adverse impacts on the Solent SPA and therefore would be in accordance with the aims of policy DM2 and DM12 of the Island Plan Core Strategy, the NPPF and the requirements of the Habitats Regulations. It is considered that this development would result in moderate benefits to the environment, through reducing nitrogen inputs as a result of the Land Management Plan, while also providing landscaping that would benefit wildlife.

#### Impact on neighbouring properties/uses

**7.34** The nearest neighbouring properties to the proposed tourism pods are located approximately 130m to the north-west of the application site within the group of dwellings at Tapnell. One third party has raised that their home in Shalfleet is already adversely impacted upon by light spillage from Tapnell Farm and object to the application on the grounds that this proposal will worsen this impact.

**7.35** The main potential impacts to neighbouring amenity would be from noise and light pollution generated by visitor's voices, activities undertaken on the site, vehicle movements and lighting at the site. Given the existing campsite use the site already benefits from any such impacts would however be no greater than already exists, in fact as the proposal has a lower occupation capacity than the existing campsite use any noise impacts should be reduced.

**7.36** In respect of the concerns over the lighting proposed at the development impacting upon neighbouring amenity as discussed above the pods would not be connected to mains electric and therefore only battery operated lanterns and light fittings would be used inside the pods and externally to the pods low level bollards with recessed directional light fittings are proposed to be controlled on timer switches which would turn all lights off after 10pm, following which point the lights

would only be activated by sensors. In view of the type of lighting being used within and outside the pods and the timer controls proposed it is satisfied that the proposal would not result in a level of light spillage that would adversely impact upon neighbouring amenity.

- 7.37** Due to the distance to the nearest neighbouring properties and the intervening trees and vegetation officers are satisfied that the proposal would have an acceptable relationship with the nearest neighbouring properties in accordance with Policy DM2 of the Core Strategy. It is considered that this matter neither weighs for or against this proposal.

## **8. Planning balance and conclusions**

- 8.1** 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

- 8.2** The NPPF states that the economic objective is 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. The application would result in the upgrading of existing tourism accommodation and therefore has the potential to boost the tourism offer on the Isle of Wight, which has economic benefits associated with job creation and the associated benefits to other local businesses who supply services, produce etc to the tourism site at Tapnell Farm. Officers consider that the development would provide economic benefits that would weigh moderately in favour of the scheme.

### Social

- 8.3** 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 proposal is for the tourism pods to be mainly used by groups associated with 'Camp Libertas' which partnered with Tapnell Farm in 2022 to offer children from 8 – 15 years old activity holidays. 'Camp Libertas' activity holidays are aimed at providing children the opportunity to connect with nature, their peers and, ultimately, themselves in a uniquely inspiring, creative, fun and engaging programme at Tapnell Farm. The proposal would result in an additional 10 jobs, adding to those already in existence at the site. Officers therefore consider that the development would provide social benefits that would weigh moderately in favour of the scheme.

## Environmental

- 8.4** 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.
- 8.5** The proposed development would not compromise designated sites or impact upon protected species or habitats on site. Confirmation has been provided that the occupancy capacity of the tourism accommodation would be less than that which can be accommodated under the existing campsite use, this along with the proposal to secure a land management plan for the development ensures that the proposed development would not result in any greater impact from nitrate loadings upon the protected Solent SPAs/ Ramsar site compared to the existing campsite use. Due to the reduction in occupancy numbers, it has also been concluded that there is no trigger for Likely Significant Effect on the Solent and Southampton Water SPA and therefore a contribution to the Bird Aware Solent scheme is not required in this instance.
- 8.6** The wider Tapnell Farm Park provides a visual backdrop to the proposed development with the proposed pods situated on the sloping hillside. The low profile of the units, coupled with the muted materials palette together with landscaping and lighting attenuation measures, would ensure no undue visual impacts would occur upon the rural landscape or the setting of the wider AONB, particularly when having regard to the extant consent for the site. Provided the landscaping and materials scheme are strictly conditioned and implemented and the external lighting details as shown in the application are secured, the impact to the landscape character of the area would be managed to a moderate level and result in minor environmental benefits that would weight in favour of the proposals.

## Conclusion

- 8.7** Officers consider that the development would result in social benefits, with beneficial environmental mitigation that would combine with the economic benefits brought forward through the boost the development would offer to the tourism industry on the Isle of Wight and the associated job creation and benefits to other local businesses.
- 8.9** As a result, having given due regard and appropriate weight to all material considerations, including the extant consent, 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 and to comply with the policies and guidance outlined within this report.

## **9 Statement of Proactive Working**

### **9.1 ARTICLE 31 - WORKING WITH THE APPLICANT**

In accordance with paragraph 38 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure

sustainable developments that improve the economic, social, and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following ways:

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

In this instance the application sought pre-application advice for the site and additional information has been submitted through the course of the application which has enabled the Council to fully assess the development in regard to the impact upon the Solent Special Protection Area Habitat Sites.

## **10 Conditions and 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 be retained in complete accordance with the details shown on the submitted plans numbered/titled:

o30\_150\_002A Site Plan  
o30\_150\_003 Illustrative masterplan  
o30\_150\_004 Cross Sections  
o30\_150\_005 Lighting Proposals  
o30\_150\_801 Soft Landscape Plan  
Single Pod Plans and Elevations dated 17.10.22

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** The material finish to the tourism pods hereby approved shall be in accordance with the following details:

Walls - clad in rough sawn vertical timber and stained in one of the colours depicted in the natural colour system outlined upon the drawing titled - Single Pod Plans and Elevations dated 17.10.22.

South and west elevations of the pods to include trellised living walls.

Roof – brown roof to allow natural seed colonisation.

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.

- 4** The landscaping of the development shall be carried out and completed in accordance with the details on the Soft Landscaping Plan drawing number o30\_150\_801 and the Illustrative masterplan drawing number o30\_150\_003. All



planting, seeding or turfing as detailed on these plans shall be carried out in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority within three months of the date of this decision. Works shall be undertaken in accordance with the approved details and agreed timetable. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 5** The provision of any external lighting on the development site shall be carried out in accordance with the details outlined on the Lighting Proposal Plan drawing number o30\_150\_005.

Reason: To prevent light pollution from harming the character of the surrounding area and to protect neighbouring amenity and to comply with the requirements of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 6** Foul drainage from the w.c. block serving the approved tourism accommodation shall be connected to the package treatment plant within the Tapnell Farm site and shall be retained as such thereafter.

Reason: To ensure that the waste water discharge associated with the approved tourism accommodation is suitably drained, to protect ground water and watercourses from pollution, to prevent harmful impacts on the Solent and Southampton Water SPA and Ramsar site 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.

- 7** The 32 units of accommodation hereby permitted shall only be used as holiday accommodation and shall not be used at any time as a main or permanent residence. The owner(s) or manager(s) of the accommodation shall maintain a comprehensive and up-to-date register listing the names of all occupants of the accommodation, their main home address, and recording the dates of occupation and vacation of the accommodation. This register shall be kept by the owner(s)/manager(s) for a rolling continuous period of 10 years and made available to the Local Planning Authority on request following reasonable notice.

Reason: To ensure that the accommodation is only used as holiday accommodation in the interests of the Island's tourism economy in accordance with the aims of Policies SP1 (Spatial Strategy) and SP4 (Tourism) of the Island Plan Core Strategy and the National Planning Policy Framework.

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Purpose: For Decision

# Planning Committee Report

Report of	<b>STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE DELIVERY</b>
Date	<b>13 JUNE 2023</b>
Application Reference	<a href="#">21/01884/FUL</a>
Application type	Full planning permission
Application Description	Proposed Development of 56 Dwellings, means of access off Hillway Road and Steyne Road associated landscaping and infrastructure (Revised plans; additional information relating to landscaping and drainage) (readvertised application)
Site address	Land off Hillway Road and Steyne Road, Bembridge, Isle of Wight
Parish	Bembridge
Ward Councillor	Cllr Joe Robertson
Applicant	Thornwood Estate IW Ltd
Planning Officer	Russell Chick

Reason for Planning Committee consideration	The application is considered to raise marginal and difficult policy issues, in balancing the need for additional housing with the policies within the Bembridge Neighbourhood Development Plan.
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Recommendation	Conditional permission subject to Legal Agreement securing the provision of affordable housing, the marketing of affordable and open market housing, the provision of a management company for the management of open spaces, communal landscaping and ecology corridors at the site and a contribution towards rights of way provision within the locality.
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### **Main considerations**

- Principle of the development
- Mix of housing and tenure
- Loss of agricultural land
- Impact upon the character of the surrounding area
- Impact on neighbouring properties
- Impact on heritage assets
- Ecology and trees
- Highway considerations/ Rights of Way
- Drainage and flood risk
- Other matters

### **1 Recommendation**

**1.1** Conditional permission subject to planning conditions covering the following matters:

- Compliance with submitted plans

- Timing of works
- Archaeological investigations
- Tree protection
- Surface water strategy and foul drainage connection
- Materials to be used
- Landscaping works and a strategy to secure Biodiversity Net Gain
- Ecological mitigation and enhancement
- On-site parking provision
- Provision of a right of way through the site, linking Steyne Road to Hillway Road
- External lighting

The permission would also be subject to a planning obligation securing a contribution towards the Solent Recreation Mitigation Strategy, rights of way improvements, marketing of housing to local people and on-site affordable housing provision.

## **2 Location and Site Characteristics**

- 2.1** The application site is located on the south-western edge of Bembridge, forming two fields that are bounded by Steyne Road to the north and Hillway Road to the west. It is not the subject of ecological designations but includes several protected trees and lies 44m north of the AONB.
- 2.2** The site is formed by two fields, all laid to pasture and level. The site includes low dividing hedgerows and several large trees, which are prominent when seen from the adjacent highway. The site area extends to 4.39 hectares.
- 2.3** The area surrounding the site has a mixed character, with housing located to the north and east and woodland and open countryside to the south and west. The site is enclosed by a mix of hedges and trees. The western boundary of the site is formed by a well-established hedgerow that includes groups of mature trees, which combine with the woodland to the west to give the area a rural character and the highway an enclosed appearance.
- 2.4** The southern boundary of the site is formed by a treelined hedge, while the eastern boundary, is formed by a hedge with a small copse at the southern end. The northern section of the site fronts onto Steyne Road, and this area benefits from planning consent for nine dwellings.
- 2.5** Immediately to the east of the site is a large recreation/ sports ground which includes the Bembridge Youth and Community Centre, and Bembridge Primary School on its eastern edge. To the north and east are extensive areas of housing. In Steyne Road the street scene is generally characterised by Edwardian era two storey houses and bungalows, mixed with more modern infill development. Predominant materials include red brick, pebbledash render, red tiled roofs and a handful of slate roofs. Many properties include details such as gabled bays, string course detailing between floors, decorative bargeboards, porches and sash windows.

- 2.6** The housing to the east of the site is densely laid out and formed by 1960s and 1980s era extensions to the village. These areas are characterised by winding open plan estate roads fronted by a mix of bungalows and two storey dwellings.
- 2.7** There are two existing properties located on the north-western corner of the site, that are adjacent to the corner of Steyne Road and Hillway Road. Popes Cottage is a detached one and a half storey brick and stone property, with its principal elevations facing east and west, presenting a narrow gable to Steyne Road. Damson Cottage is located immediately west of this property and is a more modern artificial stone bungalow. Both properties are enclosed by low timber fences.
- 2.8** To the south of the site is a large, detached property that is accessed via Howgate Road. This property is enclosed by significant areas of woodland.

### **3 Details of Application**

- 3.1** Full planning permission is sought for the construction of 56 dwellings, arranged in a variety of detached and semi-detached two-storey houses, with one terrace of three houses within the north-western corner of the site. The development would also include detached bungalows, concentrated within the southern section of the site.

- 3.2** The plans show that there would be several house types, these being:

Type A 3B – Three-bedroom, two storey pair of semi-detached houses x 15

Type B-2B – Two-bedroom, two storey pair of semi-detached houses x 10

Type B1-2B – Two-bedroom, detached bungalow x 1

Type CB4 -3B – Three-bedroom, detached one and half storey bungalow x 1

Type CB5 – 5B – Five-bedroom, detached one a half storey bungalow x 2

Type CB6 – 3B – Two-bedroom, detached house x 1

Type CB7 – 5B - Five-bedroom, detached one a half storey bungalow x 2

Type CB8 – 4B – Four-bedroom, detached chalet bungalow x 2

Type CB8 – B-4B – Four-bedroom, detached chalet bungalow attached garage x 1

Type CB8A-4B - Four-bedroom, detached chalet bungalow attached garage x 2

Type CB9-3B – Three-bedroom, chalet bungalow x 1

Type D-E – Two and three-bedroom, two storey semi-detached houses x 4

Type G-3B – Three-bedroom, two storey detached house x 7

Type H-3B – Three-bedroom, two storey detached house x 2

Type H-3B – A – Three-bedroom, two storey detached house attached garage x 5

The plans also show that 29 of the properties would be provided with detached garages, that eight properties would include attached garages, with the remaining properties including on-site driveways.

- 3.3** The houses would be laid out in a relatively rigid fashion, with the majority of the housing arranged in a north-south alignment, with a handful arranged in an east-west alignment. The northern and central sections of the site would be laid out in a denser manner, than the southern section of the site, which would be laid out more spaciouly and include five bungalows within large gardens.

- 3.4** The proposed housing would have a traditional appearance, with two storey housing to include features such as bay windows, simple balanced fenestration and porches. Roofs would include a variety of simple gables and hipped gables. Bungalows would include gabled and hipped-gabled roofs, with dormer windows and porches adding to the simple fenestration. The plans show that units would be constructed with red brick and buff brick detailing. The units would be set back from the highway and include front and rear gardens, with front gardens separated from the highway by low hedgerows. The plans show that rear gardens would be divided by a mix of fencing and hedgerow planting, with additional garden size trees planted throughout the development.
- 3.5** The site would be accessed via two entrances, one onto Hillway Road, the other via a previously approved access onto Steyne Road. Both would include simple bell-mouth junctions, leading onto estate roads. A further access would be created onto Hillway Road to serve one property, proposed within the south-western corner of the site. The roads within the site would include a network of pavements and crossing points with parts of the roads surfaced with 'home zone' shared surfacing.
- 3.6** Areas of open space would be provided at both the southern and northern sections of the site, surrounding existing large oak trees. The southern area of open space would also include a drainage swale. In addition, a small copse of trees that occupies the southern section of the eastern boundary and existing protected trees that are located alongside the western boundary onto Hillway Road would be retained, as would those throughout the site. A low hedge that subdivides the site would be removed.
- 3.7** The application would provide a policy compliant twenty affordable houses (35% of the total new homes proposed). In addition, the applicant has agreed to provide a footpath link through the site, between Steyne Road and Hillway Road, alongside a financial contribution towards further rights of way improvements within the area. The plans also show that a bus-stop and shelter would be provided within the north-western corner of the site, adjacent to Hillway Road.

#### **4 Relevant History**

- 4.1** 20/00695/FUL – Proposed development of 9 dwellings, vehicles accesses, garages, landscaping and associated infrastructure – Granted planning permission 1<sup>st</sup> July 2020.

#### **5 Development Plan Policy**

##### National Planning Policy

- 5.1** The National Planning Policy Framework (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

**5.2** The following sections of the NPPF are considered to be directly relevant to this planning application:

Section 2 – Achieving sustainable development  
Section 5 – Delivering a sufficient supply of homes  
Section 11 – Making effective use of land  
Section 12 – Achieving well-designed places

#### Local Planning Policy

**5.3** The Island Plan Core Strategy defines the application site as being immediately adjacent to the settlement boundary. The following policies are considered to be relevant to this application:

- SP1 Spatial Strategy
- SP2 Housing
- SP3 Economy
- SP5 Environment
- SP7 Travel
- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM4 Locally Affordable Housing
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM13 Green Infrastructure
- DM14 Flood Risk
- DM17 Sustainable Travel
- DM22 Developer Contributions

#### Neighbourhood Development Plans

**5.4** The Bembridge Neighbourhood Development Plan.  
The following policies are considered to be relevant to this application:

- BNDP.OL.1 Scale of Development
- BNDP.H.1 New Housing Development
- BNDP.H.3 Safeguarding for Development to Meet Local Need
- BNDP.GA.1 Car Parking Provision for New Development
- BNDP.GA.2 Public Rights of Way
- BNDP.EH.1 Built Environment
- BNDP.EH.4 Woodland, Trees and Hedgerows
- BNDP.D.1 Design Criteria



Supplementary Planning Documents (SPD) and other guidance

- 5.5 The Affordable Housing Contributions Supplementary Planning Document.
- 5.6 The Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document.
- 5.7 The Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document.
- 5.8 The LPA's Position Statement on Nitrogen neutral housing development.
- 5.9 The Isle of Wight Council Housing Strategy 2020 – 2025.
- 5.10 Local Cycling Walking Infrastructure Plan (LCWIP) for Bembridge, Brading and St Helens 2022.
- 5.11 The Isle of Wight Local Flood Risk Management Strategy 2016.
- 5.12 Bembridge Section 19 Flood Investigation, May 2022.
- 5.13 Bembridge Housing Needs Survey 2018

**6. Consultee and Third Party Comments**

Internal Consultees

- 6.1 The Council's Ecology Officer has not objected to the proposed development but recommended that a Biodiversity Net Gain is secured by condition, along with a Biodiversity Mitigation Plan.
- 6.2 The Council's Tree Officer has raised no objection to the proposed development, commenting that it would have an acceptable impact on trees at the site, subject to an Arboricultural Method Statement and landscaping being secured by condition.
- 6.3 Island Roads Highway Engineer has raised no objection to the proposed development in respect of highway capacity, highway safety, onsite access and parking arrangements or connectivity, and has recommended planning conditions.
- 6.4 The Council's Rights of Way Manager has advised that a site of the size proposed would have impacts on the local public right of way network and has concluded that a planning contribution should be secured for the provision of funding to make improvements to public rights of way in the vicinity of the site.
- 6.5 The Council's Archaeological Officer has raised no objection to the proposed development, recommending conditions.

External Consultees

- 6.6 Natural England have commented that without necessary mitigation, the development would have the potential to cause detrimental impacts on

designated sites, as a result of wastewater from housing, and recreational disturbance to protected species of birds that use the Solent Special Protection Areas. Natural England have advised that as competent authority, the Planning Authority should fully assess the impacts of wastewater and on designated sites. Natural England have confirmed that subject to the appropriate financial contribution being secured, they are satisfied that the proposal would mitigate against the potential recreational impacts of the development. Natural England have ratified the Council's Appropriate Assessment.

- 6.7** Southern Water have raised no objection to the development, confirming that they could provide foul sewage disposal for the development, subject to the necessary formal application process being applied for. Southern Water have recommended informatives in the event of permission being granted
- 6.8** The Hampshire Constabulary's Designing Out Crime Officer has commented that a pedestrian link between the site and Steyne Park would allow for disorder within the park to move into the proposed development. The Officer has also referred to a proposed bus stop to be located alongside Hillway Road, advising that due to a lack of natural surveillance the shelter should not be fully enclosed, with only a single glazed side and roof. The officer has also advised that there should be good illumination in the area of the bus stop.

#### Parish/Town Council Comments

- 6.9** Bembridge Parish Council noted the submission of revised plans, which they consider to be disappointing. The Parish Council objected to the proposed development, raising the following summarised concerns:
- Object on policies OL1, OL2, H1, EH1, EH4, D1 from our Neighbourhood Plan
  - Object on policy DM12 from the Island Core Strategy Plan. The increase in foul wastewater for this site will pose significant risk of harm to internationally designated sites in the Solent. These sites are European Sites of Nature conservation. This site will significantly increase footfall on the local beaches. This site will significantly increase the level of nitrates in the Solent.
  - Continue to object on grounds of highways - the sight lines for the entrance at the top of Hillway have only been achieved by removal of a large area of hedge which is against EH4. This also doesn't allow for the topography of the road. IR have not commented on the new entrance to plot 61, which is extremely close to a right angled bend at the junction of Howgate road and Hillway.
  - Plans state that some hedges and trees should not exceed 0.6m and that a condition is needed to ensure this does not happen. However, we know conditions are not enforced. (**Officer comment** – The Planning Authority will enforce conditions where complaints have been made)
  - Some of the parking spaces are too narrow and do not meet the regulation in the manual for streets
  - Drainage and Flood risk - Although there are now drainage calculations submitted, the PC has done the maths and contends that they are not sufficient to cope with the amount of flood water associated with this site. Ref section 19 flood report 2022

- Surface materials - these are not permeable and will increase the likelihood of flooding in an area already prone to this
- Environmental grounds - the landscaping plans attached with this revised scheme do not mitigate the loss of hedges. No impact assessments have been added with these new schemes and the PC objects to this application being approved without these assessments being undertaken (**Officer comment** – Ecological information has been provided to support the planning application)
- There are several mature trees that will cast shadow into the amenity space of several of the larger proposed properties. It is almost guaranteed that the new residents will then want these trees removed to stop this darkening of their gardens. This is proof that not enough consideration has been given to the current landscape in the design of this estate. This is contrary to guidance BS5837
- Conditions - The PC objects to the removal of permitted development rights on only 2 of the properties. This is likely to lead to confusion. All properties should be treated the same. Residents of the affected policies will want the condition removed to bring them into line with the other residents (**Officer comment** – Officers have recommended that permitted development rights are removed for hard standings and boundary treatments forward of all properties)
- Pedestrian access to Steyne Park - the PC does not give permission for the proposed access into Steyne Park. This must be removed from the scheme (**Officer comment** – rights of access are not material planning considerations however, officers have recommended that the pedestrian link is removed, due to concerns raised by the police)
- Character - this area is being called an estate by the developer. Bembridge is a village not a town. An estate will not enhance nor improve the area and will harm the outlook of the village environment.
- We agree with the ROW officer over the improvements needed to the bridle ways and footpaths and the need for highway improvements to Steyne Road and Lane End Road as per the LCWIP.
- Cycling - The site lacks adequate provision for cycling
- Wildlife - The damage to the wildlife of this area will be devastating. A few bat boxes will not alleviate the destruction of a greenfield area whose hedgerows, trees and foliage are home to many small creatures
- Infrastructure - the village cannot cope; there is no doctors' surgery; the primary school is full
- There is no secondary education; the bus service is inadequate; the village lacks pavements but also car parking
- We feel strongly that there is no over-riding need in Bembridge for this development. It will not enhance, nor will it compliment the area and will cause significant harm.

### Third Party Representations

**6.10** A total of 612 representations have been received during the two consultation periods for this application, objecting, and raising the following summarised comments/concerns:

- The proposal would not accord with the Neighbourhood Plan

- Under the Neighbourhood Plan, housing development should be small scale
- The existing settlement boundaries have been completely ignored
- The Island Planning Strategy (IPS) is only in draft form
- The development should not be allowed until the IPS is adopted
- The development would not comply with the draft IPS
- The proposal would not comply with the NPPF
- Decision should be postponed until the review of the NPPF has arrived
- Contrary to the Core Strategy/ Island Plan
- The site is outside of the settlement boundary/ the site should be within the settlement boundary
- Only small scale housing should be allowed
- Why is the Council proposing large scale housing across the Island
- The site is designated greenbelt (**Officer comment** – there is no designated greenbelt on the Island)
- The site is greenfield (not previously developed) and brownfield land should be considered first
- Proposals would change a Rural Service Centre to a secondary settlement
- The Housing Needs Survey did not identify a need for such a large-scale development
- No need for housing/ housing would be for incomers
- Recent appeal decision for eight houses close to the harbour shows that there is no need for the housing
- There is a ready market for second homeowners and older age groups with disposable incomes, this will not help to maintain a balanced vibrant community
- Why are the two sites [there is a second proposed housing site located to the north and adjacent to Mill Lane] in the SHLAA?
- Who sat on the steering group for the SHLAA and decided that the site was deliverable?
- Why has there been no outline application for the site? (**Officer comment** – the applicant is entitled to choose to submit either an outline or full application)
- Contrary to the Bembridge Housing Needs Survey
- Lack of community engagement
- The developer has chosen larger houses to maximise profit/ development is purely for the developer's benefit
- House prices in Bembridge are high
- The housing would be unaffordable for local people
- Bembridge has already built 17 affordable homes
- The development proposes no affordable housing (**Officer comment** – the applicant is proposing a policy compliant 35% affordable housing)
- We need affordable housing in Bembridge, but these houses would be too expensive for local people
- The inclusion of so many upmarket dwellings may lead to social imbalance in the community
- There is no shortage of housing, just a shortage of affordable homes
- There is plenty of larger housing made vacant by those who downsize as they grow older
- Need for local people is starter/ affordable housing not luxury homes

- The houses would not be available for local families or key workers/not for young people
- If approved, there should be conditions to prevent holiday occupancy
- The housing would be used as second homes/ too many second homes in the village
- Should it be constructed, this will be a secluded geriatric community on the edge of the village which will do absolutely nothing to benefit the village
- The Island has a top-heavy population structure, in Bembridge it is even more top heavy
- People who might wish to purchase the homes would be likely to be elderly and need better public transport
- The site is not in the village centre but at the edge of the village, leading to car use and congestion
- The development would turn the village into a town/ already a large village
- Brownfield sites adjacent to larger towns such as Newport would be more suitable
- Harm to the original Thornycroft estate
- The field is not the place to build houses
- Lack of facilities in the village for local residents/ lack of facilities for younger people
- Village is over-crowded during the tourism season
- Lack of services for new housing
- Pressure for waste management
- Impact on infrastructure/ impact on existing power supplies
- No full-time doctor's surgery
- Local primary school is full
- No secondary school in the village
- No petrol station
- No fire station
- Lack of parking in the village
- Poor access within the village
- Lack of cycling facilities within the village
- The library is only run by volunteers and does not provide all normal library and Council services
- No sports/ leisure facilities within the village
- No locality hub proposed for the area
- Lack of public transport
- Nearest shops are 700m away with a lack of pavements
- The hospital for the Island is too small for the present population/ there is only one hospital on the Island
- Limited local employment opportunities/ where would all the jobs come from?
- The housing would increase the housing density of the village
- Proposes generic housing types seen across the UK
- The village is already overbuilt
- The housing would detract from the natural beauty/ character of the village
- Lack of detail for landscaping
- Poor layout
- Would not improve the quality of the area
- Not a balanced scheme of dwellings, green spaces and open areas

- Not and attractive development/ poor design
- The proposal is based on development in Cowes
- The development would not include enough trees
- The development would be too large/ out of keeping with the scale of the village
- The site is immediately adjacent to the AONB/ impact on the AONB
- The Neighbourhood Plan restricts developments to nine houses or fewer
- We do not want Bembridge to get much bigger
- Too many houses/ overdevelopment/ urban sprawl
- Houses in Bembridge are being purchased as holiday homes
- The housing would be excessive, disproportionate and would overwhelm Bembridge's services
- Huge development, out of proportion with the village
- The development would remove open fields near to the one remaining windmill on the Island
- Impact on the rural character of the area/ tranquillity
- No landscape plan has been provided
- Loss of farmland
- No room for cattle
- Impact on archaeology
- Impact on the natural landscape/ development would be an eyesore when entering Bembridge
- The village is full to capacity and struggles to cope when tourists arrive
- The development would be out of keeping with the character of the village/ surrounding area
- The field is one of the last green spaces in the village/ loss of meadow land
- The geology of the area is not suitable, and causes flooding
- Steyne Road floods during high rainfall/ the site will add to flooding
- The effects of additional driveways, roofs and roads affecting the water that can be absorbed would need to be seriously considered
- The development would add to surface water flooding/ sewer capacity issues
- The proposed drainage/ SuDs scheme would be insufficient
- Bembridge is an island within an island subject to flood risks
- No calculations have been provided for the drainage scheme
- Impact of flooding on property insurance (**Officer comment** – this is not a planning consideration)
- Pipework connecting the village to the WWTW at Sandown is at capacity/ Southern Water releases of sewage have increased
- Concerns over the operation of WwTW and sewage discharges to the sea
- Impact of nitrates from the development
- The drains need extensive updating
- Raw sewage flows into the sea at Bembridge
- Impact on ecology/ loss of habitat and wildlife/ huge environmental impacts
- Impact on trees/ loss of trees and hedgerows
- Impact on water supply/ pressure of water supply
- Impact on coastal erosion
- Green spaces in the village have disappeared, affecting ecology
- Lack of biodiversity net gain
- There is a climate emergency

- Pollution as a result of more cars
- Lack of permeability for wildlife
- No evidence for the alleged net gain for ecology
- There is no Environmental Impact Assessment (**Officer comment** – The site is not within a designated/ sensitive area and therefore an Environmental Statement is not necessary)
- Impact of lighting
- Harmful impact on listed buildings within the area, including Bembridge Windmill
- The Government is encouraging farmers and other landowners to consider rewilding
- Impact on the biosphere
- Impact on mental health due to loss of areas for nature and open space
- Impact on nearby Steyne Woods and red squirrels
- The ecology report gives no regard to nearby designated sites / ecology report is not sufficient for a development of this scale and further surveys should be required
- Impact of footfall on SSSI beaches and recreational effects
- Standard approach to mitigate recreational effects would not be sufficient
- The transport networks for Bembridge would not cope with the traffic from the development/ congestion/ roads not good enough for addition traffic
- Steyne Road can be at a stand-still due to parking and traffic and the development would exacerbate this
- The development would combine with tourism traffic
- The access would be close to a tight bend
- Proposed accesses would not be safe
- Applicant has under-reported accidents in the area
- The roads are extremely dark after sunset and there is a lack of street lighting
- Poor access for emergency vehicles
- Roads are impassable entering the village from the Windmill
- Road surfaces break up due to volume of traffic/ roads are in a bad state
- People would have to walk in Hillway Road
- The roads are used to move livestock
- Increase in car use/ traffic as a result of the development
- Lack of pavements in the area/ lack of lighting for pedestrians
- Poor bus links/ buses are only hourly
- No proposals to improve infrastructure within the village
- Impact on emergency services if the two accesses to the village are blocked
- No car park in the village/ lack of parking within the area
- Ferry links are expensive, and cancellations are numerous
- Impact of construction processes and vehicles
- Impact of construction vehicles on Sandown Road
- Steyne Cross is known for accidents
- Mini roundabout is not suitable
- Noise, light and air pollution/ impact on village lifestyle
- Impact of the construction phase due to traffic, noise, dust
- Disruption caused by this and other developments within Steyne Road
- Steyne road is congested due to parking

- Bembridge has only two car access points, with a risk of congestion should one become impassable
- The village centre is congested and compact
- Combined impacts with growing tourism sites in the area
- It takes an hour to get to Bembridge from Newport, so the housing would be attractive to those working in Newport
- Impact on tourism
- The area is busy due to the expansion of nearby tourism sites
- How can health and wellbeing be improved by building houses on this site
- Development would need to comply with the requirements of policy G3 in relation to developer contributions
- Where is the open book viability assessment (**Officer comment** – the applicant has agreed to provide policy compliant planning contributions and therefore a viability assessment is not required)
- No commitment by the developer to pay for additional infrastructure required
- The access to Steyne Park is not in the developer's gift
- Cannot see how the proposal complies with the UNESCO biosphere status of the Island
- No reference to energy efficiency or carbon reduction
- The application does not meet the tests of sustainability and community need
- Impact on stability of houses at the top of Lincoln Way due to chalk and clay
- Applicant has used software for plans that is not generally available for the public so that general public cannot access sufficient detail (**Officer comment** – the plans and supporting information are held on the Council's website and are fully available)
- Details of proposed s.106 agreement should be published as they are notoriously easy to get wrong
- None of the previous objections to the development have been addressed
- Technical issues remain unaddressed

**6.11** Two letters of support/ no objection were received, and raising the following summarised comments:

- The proposed affordable Housing is welcomed, but only once the village infrastructure has been built to support the extra people
- More houses are needed across the Island, including in Bembridge
- Many Island residents cannot afford homes/ high rents
- The Island is in a housing crisis
- It is vital that the development includes more affordable housing to allow local people with families to step onto the property ladder
- Bembridge is an ideal place for a housing development as it has play areas, beach, local school and has regular buses

**6.12** Robert Seely MP has objected to the proposed development for the following summarised reasons:

- The development would be exceptionally large for such a small village



- Contrary to the need of the community as set out in the Bembridge Neighbourhood Plan
- Cannot see how this development addresses local housing need, how it benefits rural landscape, tourism offer or supports small scale sustainable growth
- Concerned about the pressure of the development on local infrastructure
- Bembridge has small roads which often get congested
- Risk of flooding caused by new housing
- The site is greenfield offering food and shelter to wildlife and green space to the village
- There are other sites available for housing and plenty of brownfield sites on the Island that could be developed to provide affordable housing
- The Council has secured money from Government to help it deliver some brownfield sites
- The Council should look at these brownfield sites before considering unsustainable, car dependent, greenfield developments such as this

**6.13** Cycle Wight have made a neutral comment on the planning application, making the following observations:

- Paths should be 3m in width and a permeability feature between units 29 – 30 should not interfere with the progress of pedestrians or cyclists
- Raised area for speed control is welcomed but should be of a design to allow cyclists to move with ease
- All pavements should be flat surfaces to make it easy for pedestrians of all ages and mobility to use paths
- Parking should not be on streets
- No room for visitor parking
- Lack of pavements in some areas would further add to the need to restrict parking
- Traffic regulation and active travel provision should be in place before building commences to enable all residents and visitors to use Active Travel methods from the outset. This will encourage people to cycle, walk and use public transport

## **7** **Evaluation**

### Principle of the development

#### *Policy background*

**7.1** Paragraph 60 of the NPPF states that it is a Government objective to significantly boost the supply of housing. In addition, paragraph 69 of the NPPF reasons that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, because these are often built-out relatively quickly. The paragraph goes on to confirm that planning authorities should support the development of windfall sites through their policies and decisions. Paragraphs 77 and 78 of the NPPF explain that planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs and to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural

communities. It adds that where there are groups of smaller settlements, development in one village may support services in a village nearby.

**7.2** Policy SP1 of the Island Plan outlines that unless a specific local need is identified, development proposals outside of, or not immediately adjacent to the Key Regeneration Areas, Smaller Regeneration Areas or Rural Service Centres will not be supported. The Island Plan defines the application site as being outside of, but immediately adjacent to the settlement boundary for Bembridge, which is a Rural Service Centre. For new housing development within or adjacent to Rural Service Centres, policy SP1 confirms that a local need for the housing should be demonstrated. Policy SP2 of the Island Plan sets out an average need for 520 houses per year between 2011 to 2027, advising that 980 dwellings would be required through smaller-scale development at the Rural Service Centres and wider rural area over this period. Policy SP1 states that in relation to the Rural Service Centres and the Wider Rural Area, the Council expects to see smaller-scale development occur in sustainable locations, where a local need is identified.

**7.3** Bembridge Parish Council adopted a Neighbourhood Development Plan (the Neighbourhood Plan) in 2014 and this contains policies relating to housing development within the Parish. The strategic overview policies contained within the Neighbourhood Plan generally reflect those within the Island Plan and set out where new development should take place within the Bembridge Parish as well as the scale of development. Policy BNDP.OL.1 (Scale of Development) states that new development will be confined to small scale proposals which fall within any of the following categories and will be supported in principle:

- a) Housing development schemes of 1 to 9 units and not exceeding 0.5 hectares
- b) Non-residential development not exceeding 1000 square metres floor space and site area not exceeding 1 hectare.

**7.4** Policy H1 of the Neighbourhood Plan is an extension of policy OL1 and states that new housing development within the Bembridge settlement boundary or immediately adjacent will be supported in principle provided it meets the criteria as set out in policy BNDP.OL.1 and is able to demonstrate it meets a local need, primarily as identified in the current Bembridge Housing Needs Survey.

*Housing delivery and need*

**7.5** Regarding proposed housing, the policy position set out within policies SP1 and SP2 of the Island Plan and policies BNDP.OL.1 and H1 of the Neighbourhood Plan 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 2021. The latter of these documents outlines at paragraph 7.12 that "the Isle of Wight Council considers that it cannot demonstrate a five-year land supply as at 1<sup>st</sup> April 2021.

**7.6** Further to this, the Housing Delivery Test (published 19<sup>th</sup> January 2022) shows that only 58% of the housing need (when using the Government's Standard Method calculation) has been delivered on the Isle of Wight over the three-year period to 31<sup>st</sup> March 2021.

**7.7** 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.”

**7.8** The Council’s annual monitoring reports and the Housing Delivery Test undertaken by the Department for Levelling Up and Housing and Communities (DLUHC) demonstrate that delivery over the last three years has been 58% and we therefore fall within both categories and the presumption in favour of sustainable development is applicable.

**7.9** Under the current NPPF, to remove the presumption in favour of sustainable development, the Council must deliver a greater level of housing (above 75% of the required housing number using the Government Standard method) and/ or adopt an up-to-date development plan and still deliver 75% of any new yearly target within that adopted plan. The NPPF provides guidance on the stage at which emerging policies can be attributed weight in decision making. Paragraph 49 of the NPPF states that in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

- 7.10** Third party comments have suggested that determining the application in advance of the Island Planning Strategy would be premature. Paragraph 50 of the NPPF confirms that refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination. Considering criteria a) above, it should be noted that the application site is currently included within the housing allocations in the draft IPS and therefore officers consider that if approved, it would not undermine the plan-making process. Moreover, considering criteria b) and the advice contained within paragraph 50, members will note that the IPS is yet to be agreed by Full Council and therefore, has not been submitted to the Secretary of State for examination. Therefore, it is reasonable to conclude at this stage, that only minimal weight could be attributed to the emerging IPS and officers would advise that the policy context for determining the application is the Island Plan Core Strategy and the Bembridge Neighbourhood Development Plan.
- 7.11** Officer's advice is that the lack of housing delivery means that the merits of housing development taking place in Rural Service Centres should be considered in terms of the sustainability of the particular site, with the acceptability of the scale of the development then based on an assessment of its impacts. In the case of this development, balancing the key considerations outlined within this report. Officers also consider that due to the housing delivery rates explained above, that the requirements of policy BNDP.OL.1 of the Neighbourhood Plan in terms of limiting housing proposals to 1 to 9 units and not exceeding 0.5 hectares, would undermine the Island's ability to deliver much needed housing (particularly affordable housing) within a village that is a sustainable location for housing development.
- 7.12** The lack of housing delivery on the Island does not simply result in statistical issues for the Council. This also impacts on the ability for local people to purchase or rent the home of their choice. The Council's Housing Strategy advises that 'housing affordability and housing supply are and are set to remain the most challenging issues that the Island needs to address during the lifetime of this strategy and beyond'. The Strategy also advises that 'We know there is a particular need to recruit and retain skilled people to work in essential public services and local industries including construction for the longer-term recovery and economic sustainability of the Island. The lack of suitable housing to meet this aspiration has long been identified as a barrier to this and needs to be addressed urgently.'
- 7.13** The lack of housing delivery can, to an extent, be evidenced by the Council's Housing Register. The Register, as of March 2023, included 2495 households Island-wide. The Register is divided into five bands, with those in the most urgent need falling into band 1, and those at the least level of need falling into band 5. There are 4 households falling into band 1, 285 within band 2, 1286 falling within band 3, 723 within band 4 and 197 within band 5.
- 7.14** The Housing Register also provides statistics for specific areas of the Island. There are currently 696 households on the Register for Bembridge. The table below splits the number between the relevant bands, but also house sizes.

	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Total
Band 1	0	1	0	0	0	0	1
Band 2	43	11	13	9	4	1	81
Band 3	177	87	59	16	1	0	340
Band 4	72	73	57	15	0	0	217
Band 5	30	16	10	1	0	0	57
Total	322	188	139	41	5	1	696

Officers consider that the information contained within the Housing Register shows that there is a strong need for additional housing within the village, and that this combines with the existing requirement for housing.

**7.15** As outlined above policy BNDP.OL.1 of the Neighbourhood Plan limits housing proposals to 1 to 9 units and not exceeding 0.5 hectares. However, on site delivery of affordable housing is not triggered until a scheme includes a minimum of 10 units. Therefore, if developments in the village were all limited to 9 or below there would be no on-site delivery or provision of affordable housing in the parish to meet this identified need, unless funded by planning contributions. The housing to the front of the site was limited to 9 and therefore the developer would have continued to bring smaller parcels of land forward of 9 units to comply with this policy, but in doing so the benefit through contributions to be secured by the legal agreement and the delivery of affordable housing would not be achieved.

**7.16** In addition, Bembridge Parish Council undertook a Housing Needs Survey (The Bembridge HNS) in 2018, having been commissioned to understand residents' current housing circumstances and their future housing aspirations for the period 2018 to 2023. The Bembridge HNS was informed by questionnaires delivered to all houses within the Parish, as well as other data, including the 2011 Census. The Bembridge HNS confirms that the advised outputs within it are minimum estimates, due to the response rate of the questionnaires, which was 11.6% (249 households out of 2139 surveyed). This rate of response is considered to be very low and much lower than that for the Parish's 2013 HNS, which garnered 449 replies and found a higher requirement for housing. The 2018 Bembridge HNS indicated that there would be a net requirement for 37 open market dwellings within the Parish between 2018 and 2023. In the period 2018/19 to 22/23, permission was granted for 17 new dwellings (on small sites) and 23 new homes were completed. This indicates a shortfall of 16 market dwellings in that period against the identified figure. The 2018 Bembridge HNS did not identify a need figure for market or affordable dwellings beyond 2023, and it is noted that the figures within the HNS were based on a relatively small response rate, and would not have included people who live outside of the Parish, but who may have a need to live within Bembridge. Regardless of this point, paragraph 5.36 of the Core Strategy, 'The Council considers that meeting the annual provision of 520 dwellings or housing trajectory number will not in itself be a reason for rejecting a planning application. Decisions will be taken on their merit and local circumstances, including longer term housing needs and affordability in an area'. This approach is also true of meeting any locally identified need figure.

**7.17** The Council's Housing Need Assessment (The Council's HNA) was undertaken in 2018 and placed Bembridge within the Ryde sub-market area. The HNA found a need for 61 affordable houses per annum within the Ryde sub-market area

(and 222 for the Island as a whole) with 152 open market dwellings required per annum within the sub-market (see tables 7 and 36 of the Council's HNA). The applicant's Design and Access Statement sets out their opinion relating to the local need for the development and refers to the information set out within the Council's 2018 Housing Needs Assessment (HNA), and the annual figure of 641 dwellings that this identifies for the Island, between 2016 to 2034. The applicant's information also refers to the housing delivery issues that the Island has faced in recent years, noting the findings of the Housing Delivery Test (see para 7.7 above) and the need to focus housing within sustainable locations.

- 7.18** Officers consider that local need referred to within the Island Plan should be seen as being Island-wide, due to the scale of the under delivery over a sustained period. However, the Bembridge HNS combines with the information contained within the Council's Housing Register and HNA to demonstrate a local need for the housing proposed, both in terms of the Island as a whole, but also for Bembridge in its role as a Rural Service Centre, taking into account the presumption in favour of sustainable development.

#### *Locational requirements*

- 7.19** 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 as identified by the Key Regeneration Areas, Small Regeneration Areas and the Rural Services Centres, the use of brownfield land and economic led regeneration. The overall approach advocated within policy SP1 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.
- 7.20** Bembridge is a Rural Service Centre and therefore for the purposes of planning policy guidance, is a sustainable location for its community and housing provision. The village contains two shopping areas, with the main concentration of services and facilities being within the village centre and more limited range of services within Lane End Road, in the south eastern area of the village. Between them, these two areas contain convenience stores, a butcher's, a fishmonger, a greengrocer's, a bakery, a florist, a hairdresser's, a library, a dental surgery, a doctor's surgery, public houses, restaurants and cafes, hot food takeaways, estate agencies, gift shops, a post office, a primary school, a community hall and churches. The village is therefore well served by the services and facilities required by the local community.
- 7.21** The Chartered Institution of Highways and Transportation (CIHT) publication 'Planning for Walking' published April 2015 identifies at paragraph 6.3 'Land use planning for pedestrians' that 'Most people will only walk if their destination is less than a mile away.' It continues to explain that 'Walking neighbourhoods are typically characterised as having a range of facilities within ten minutes' walking distance (around 800 metres).' And that 'The power of a destination determines how far people will walk to get to it. For bus stops in residential areas, 400 metres has traditionally been regarded as a cut-off point and in town centres, 200 metres. People will walk up to 800 metres to get to a railway station, which reflects the greater perceived quality or importance of rail services.'

- 7.22** The application site is located 1km from the village centre, via Steyne Road and Foreland Road, and therefore while walkable via pavements could not be considered to be in close walkable proximity. Nonetheless, there is a bus stop located immediately west of the site within Hillway Road and another bus stop 100m east of the site within Steyne Road. These connect to the village centre, as well as St Helens (where there is an alternative school and doctor's surgery), as well as the towns of Sandown and Ryde. This route offers an hourly service between 06.30 to 23.30 hours on a daily basis. However, the site is within 600m of the shops in Lane End Road, which include a convenience store and post office, and the route is direct and served by lit pavements. In line with policy DM17 of the Island Plan, the development would be served by alternative means of transport to the car and therefore, provide increased travel choice.
- 7.23** Paragraph 79 of the NPPF states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.' Bembridge is identified in the Island Plan as a Rural Service Centre, owing to its strong mix of services and facilities and is therefore considered to be a sustainable location for additional housing. It is considered that the proposed development would provide benefits to the village, by providing additional residents, which would combine with the existing community to sustain local services and facilities. Moreover, the provision of affordable housing would be likely to provide a proportion of family housing, which could support the local school and other groups, such as sports teams, and the use of the local park, which is adjacent to the site.
- 7.24** In summary, the proposed housing development would be contrary to the guidance contained within BNDP.OL.1 of the Neighbourhood Plan, given the limits on the scale of housing development that this policy includes. Officers consider that there is an overriding need for housing across the Island given the lack of housing delivery over recent years, and that there is a need for housing within Bembridge, as evidenced by the Parish Council's HNS, the Council's HNA and Housing Register, that combine to outweigh the policy approach set out in BNDP.OL.1 of the Neighbourhood Plan.

#### *Brownfield land*

- 7.25** It should be noted that there are not considered to be sufficient brownfield sites available to accommodate the level of development required to deliver the housing needs for the Island and therefore, in many cases new housing development will take place on undeveloped land. Regarding the potential for housing to be located on previously developed land (brownfield land) within the settlement boundary, the Council's Brownfield Register includes two sites within Bembridge. The first is the former Bembridge C of E School, however this site was redeveloped several years ago, providing 13 houses. The second relates to Raffles, a large building within Steyne Road that has been used as accommodation for staff at a nearby holiday park. That site is the subject of a current planning application that seeks to redevelop the site with 9 flats.
- 7.26** There is a concentration of business units along Embankment Road, opposite to Bembridge Harbour. These are generally related to the function of the harbour as

a marina, and include uses such as chandleries, boat storage areas, boat sales outlets and marine repair uses. These existing uses are important to the use of the harbour and are a source of local employment. The land they occupy is limited in extent, and therefore unlikely to be suitable for a comprehensive housing development. These sites are also outside of the settlement boundary, detached from the residential core of Bembridge and adjacent to designated sites and therefore are not considered to be preferable to the application site. There is a plot of land located to the southwest of these uses, but this has previously been proposed for development, but withdrawn due to overriding ecology issues.

- 7.27** There is a small builder's/ haulage yard located to the east of Bembridge High Street, and while the principle of housing is likely to be acceptable, the site is likely to be constrained by the site access, which is narrow with buildings adjacent to the access being hard against the highway. There is also a further builder's yard in Lane End Road, however this has already gained planning permission for the conversion of various buildings to a mix of six flats and two residential units. Officers are not aware of any further previously developed land available within the settlement boundary for the development.

*Conclusion on principle*

- 7.28** In conclusion, while the proposals would be contrary to policies BNDP.OL.1 and H1 of the Neighbourhood Plan, officers consider that when taking account of the lack of housing delivery over a number of years and the presumption in favour of sustainable development, there is an overriding need for housing across the Island and that when also considering the data contained within the Council's Housing Register, there is a clear need for open market and affordable housing within Bembridge. The applicant has provided information relating to the need for proposed housing, which reflects the opinion of officers. The application site is located immediately adjacent to the settlement boundary for Bembridge, a Rural Service Centre, and adjoins significant areas of existing housing. The site would benefit from a choice of transport links to the many services and facilities within Bembridge.
- 7.29** The application is proposing 56 dwellings, and it is considered that this number of houses would make a meaningful contribution towards housing within the East Wight, which would weigh substantially in favour of the application. The proposal is therefore considered to comply with the advice contained within policy SP1 of the Island Plan when considering the advice contained within the NPPF. It does not follow, however, that planning permission will automatically be granted for such applications as the balance between the benefits and harm of any proposal will still need to be given careful consideration when the decision-maker arrives at their decision.

Mix of housing and tenure

- 7.30** Policy DM3 of the Island Plan states that the Council will support proposals that deliver an appropriate mix of housing types and size. The policy requires proposals to accord with the most up to date Strategic Housing Market Assessment. This requirement is reflected by policy BNDP.H.1 (New Housing Development) of the Neighbourhood Plan, which requires housing developments to demonstrate that they meet a local need, primarily as identified in the current



Bembridge Housing Needs Survey. Policy DM4 (Locally Affordable Housing) of the Island Plan requires major housing schemes to provide a minimum of 35% on site affordable housing.

**7.31** The 2018 Bembridge HNA found that of the 37 open market dwellings required within the Parish between 2018 and 2023, the following sizes of accommodation would be needed:

- 1 bedroom – 5
- 2 bedrooms - 21
- 3 bedrooms - 5
- 4 bedrooms – 2
- 5 bedrooms – 3
- 6 bedrooms – 1

The survey also showed that of the 37 dwellings required, 16 would need to be ground floor accommodation. The survey also showed a need for an additional 10 affordable rental houses.

**7.32** The Council's HNA advises that the following mix of sizes would be required for the Ryde sub-market, for open market housing:

- One bedroom – 5%
- Two bedrooms – 37%
- Three bedrooms – 40%
- Four+ bedrooms – 18%

The following mix of sizes would be required for affordable home ownership:

- One bedroom – 23%
- Two bedrooms – 45%
- Three bedrooms – 25%
- Four+ bedrooms – 7%

The following mix of sizes would be required for affordable home rented:

- One bedroom – 41%
- Two bedrooms – 39%
- Three bedrooms – 19%
- Four+ bedrooms – 2%

**7.33** The Council has also undertaken an updated HNA, published in 2022. This, however, applies to the whole Island, rather than investigating sub-market areas and does not supersede the 2018 figures above, which remain appropriate for this planning application. The 2022 HNA found that the mix of housing, set out within table 5 below, would be appropriate for the Island as a whole. These figures generally correlate with those for the Ryde sub-market area, for all types of tenure.

**Table 5: Suggested mix of housing by size and tenure**

	1-bedroom	2-bedrooms	3-bedrooms	4+ bedrooms
<b>Market</b>	5%	35%	40%	20%
<b>Affordable home ownership</b>	20%	40%	30%	10%
<b>Affordable housing (rented)</b>	40%	30%	25%	5%

**7.34** The proposed development would comprise 56 dwellings, with 36 to be open market housing, and the remaining 20 to be affordable housing, equating to 36% and so marginally above the policy compliant level of 35% on-site affordable housing provision. The open market housing would include the following mix of dwelling sizes:

One bedroom x 0 = 0%  
 Two bedrooms x 5 = 14%  
 Three bedrooms x 22 = 61%  
 Four+ bedrooms x 9 = 25%

The affordable housing would include the following mix of dwelling sizes:

One bedroom x 0 = 0%  
 Two bedrooms x 11 = 55%  
 Three bedrooms x 9 = 45%  
 Four+ bedrooms x 0 = 0%

**7.35** While the site would provide no one bedroom units, these would generally be related to flatted developments in more urban settings. Officers note that such accommodation has been proposed for developments in Ryde, within the same sub-market area. The development would provide a greater proportion of two and three-bedroom properties, which would broadly reflect the split in housing sizes for the sub-market area, although with a greater focus on three-bedroom housing. Officers do not consider that this would weight against the scheme, as this would provide for a greater number of smaller to medium sized family homes.

**7.36** The affordable housing units would again be focused on two and three-bedroom properties. This would cater for families or those with a need for smaller homes, therefore providing the need for first-time buyers, those wishing to upsize to slightly larger accommodation or alternatively, those wishing to downsize. While the percentage split of unit sizes would be greater than that within the 2018 HNS and 2022 HNA, this can be generally attributed to the absence of single bedroom units, which as set out above, would be more appropriate for urban areas in the sub-market, such as Ryde.

**7.37** Policy BNDP.H.3 – Safeguarding of Development Delivered to Meet Local Need – of the Neighbourhood Plan states that development approved as meeting a local need will be subject to planning conditions and/or planning obligations to require the first occupants to be existing residents of the Isle of Wight with a Bembridge connection meeting one of the following categories:

(a) a person who currently lives in the Parish and wishing to move to a smaller property in order to release larger accommodation

- (b) a person who currently lives in the Parish and has an appropriate housing need because their family size has increased
- (c) a person who currently lives in the Parish and wishes to transfer to a similar sized property
- (d) a person from the Parish who is subject to a planned management transfer based on medical grounds
- (e) a person who has previously lived in the Parish for 5 or more years up to the age of 16
- (f) a person who has for 5 years prior to such acquisition or occupation been in continuous full or part-time employment (excluding seasonal employment) in the Parish or has accepted an unconditional offer of employment in the Parish

**7.38** The first period of occupancy in accordance with the above criteria to be for a minimum of three months thereafter occupation (subject to the same criteria) may be extended to the neighbouring parishes of Brading or St Helens for a further three months. Thereafter, the property may be offered on the open market.

**7.39** In addition to this, the applicants have agreed to an Island-first marketing period for open market housing, suggested by officers. This would include limiting the sale of open market properties to Islanders for a period of three months, in the following manner:

- Month 1 – Properties available to residents of the Parish of Bembridge
- Month 2 – Properties available to residents of the Parish of Bembridge and adjoining parishes
- Month 3 – Properties available to Island residents

Following the three-month period set out above, the properties would be open to the open market.

**7.40** Officers consider that the requirements set out within policy BNDP.H.3 in respect of marketing housing for local people would remain reasonable. As the policy outlines, any remaining housing after the focussed period of marketing would be sold via the open market. The proposed affordable housing would also need to be marketed on Island Homefinder to ensure that it is made available to those on the housing register. Therefore, Officers recommend that the above marketing approach should be secured via a legal agreement, should the application gain planning permission. It is considered that this development would therefore comply with the policy guidance contained within policies DM3 and DM4 of the Island Plan and policy BNDP.H.1 of the Neighbourhood Plan and contribute to the substantial benefits outlined within the principle section of this report through delivering a mix of affordable housing and housing for local people.

#### Loss of agricultural land

**7.41** National guidance in respect of the classification of agricultural land and its protection is contained within the Natural England Technical Guidance Note (Agricultural Land Classification: protecting the best and most versatile agricultural land) and within the NPPF. The Technical Guidance Note makes it clear that decisions with respect to the protection of the best and most versatile agricultural land rest with Local Planning Authorities and Government Guidance.

To guide decision making, agricultural land is classified into five grades, which are as follows:

Grade 1	Excellent
Grade 2	Very good
Grade 3	Good to Moderate
Grade 4	Poor
Grade 5	Very poor

According to Natural England and the glossary to the NPPF the best and most versatile agricultural land are those areas that fall within grades 1 to 3a. Such land is considered by Natural England to be most flexible, productive and efficient in response to inputs and can best deliver future crops for food and no food uses.

**7.42** Paragraph 174 of the NPPF states that local planning authorities should recognise the economic and other benefits of the best and most versatile agricultural land. The footnote to this section of the NPPF states that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. DEFRA land classification maps confirm that the land in this area is grade 3 and therefore, has the potential to fall into Grade 3a which is considered to be good quality agricultural land.

**7.43** However, to provide further clarification on whether land is within Grade 3a or 3b, site surveys are required. The applicant has undertaken soil surveys of the site, and these showed that the land comprises a thin layer of topsoil, underlain by silty clay and soils with very poor infiltration characteristics. It should be noted that land with only thin layers of topsoil lack nutrients and that poorly drained soils are not generally considered to be conducive for high yield crops, such as cereals. This is evidenced on the ground, by virtue of the majority of the fields in the area being used for pasture. As a result, officers consider that the land would be akin to Grade 3b farmland, which is categorised as 'Land capable of producing moderate yields of a narrow range of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year.' Therefore, the land is not considered to be subject to protective policies and there is no objection to the proposed development in relation to agricultural land classification.

#### Impact upon the character of the surrounding area

**7.44** Policy SP5 (Environment) of the Island Plan Core Strategy states that the Council will support proposals that protect, conserve and/or enhance the Island's natural and historic environments. All development proposals will be expected to take account of the environmental capacity of an area to accommodate new development and, where appropriate and practicable, to contribute to environmental conservation and enhancement.

**7.45** Policies DM2 and DM12 of the Island Plan require development proposals to be of a high quality of design, to compliment the character of the surrounding area, and to conserve, enhance and promote the Island's landscape.

### *Landscape and visual impacts*

- 7.46** The application site is formed by relatively level fields, that edge the south-western edge of Bembridge. The fields share a similar land level to the residential development to the north and east, with land further west sloping gradually away from the village towards Hillway, Bembridge Airport and Whitecliff Bay. The area west of the site has a pleasant rural feel, with Hillway Road edged by woodland and hedgerows. The areas north and east form part of the existing village and include housing with generous gardens. Land to the south is again developed, but at a lower density with properties enclosed by large hedgerows.
- 7.47** Because the western side of the road is enclosed by woodland, views are generally directed to the east and so across the fields that form the application site. Those views have a rural feel and because the site is relatively wide, with intervening hedgerows and trees, there is a sense of depth when appreciating the farmland. But the landscape does not feel isolated, because there is an appreciation of the existing housing to the east, and as one travels further north this appreciation of the presence of development becomes increasingly apparent. When travelling south, the backdrop is more rural.
- 7.48** The proposals show that the fields would be developed to provide housing, which would clearly change the character of the immediate area, and particularly when seen from Hillway Road. Views would change from those across fields towards the village edge, to views instead of readily apparent housing arranged in rows in close proximity to the highway and the new means of access from Hillway Road. This would effectively roll the village edge west, to Hillway Road. There would, however, be mitigating factors that would assist in reducing the visual impact of the development when seen from Hillway Road.
- 7.49** Firstly, the plans show that deep gardens would be provided between the western boundary and housing closest to the highway allowing a sense of space and resulting in the housing appearing less prominent. The landscaping plans and ecology report outline that the hedgerow alongside the road and the large lines of roadside trees would remain, and in particular the trees would screen some views and break up views, while the hedgerows would retain the soft edge to the highway and provide some screening. The proposed access onto Hillway Road would remove a section of the hedgerow and allow clear views of the housing, and new highway arrangements although the landscape plans show that hedgerows would edge the new highway, again reflecting the more rural character of the village and softening the appearance of the development.
- 7.50** Nonetheless, the development would be readily noticeable from Hillway Road and substantially and fundamentally alter the current views of farmland, with set-back housing beyond, to views of housing at close quarters. This would result in significant change to the landscape character of the immediate area, which when considering the mitigating factors outlined above, would in officer's opinion result in a moderate but material level of harm.
- 7.51** The officer site visit showed that the site is not readily visible from the landscape immediately to the south and in particular from Howgate Road and the AONB landscape to the south and east. That is due to the high intervening hedgerows and trees that form the southern boundary of the site and that enclose Howgate

a large property immediately to the south. When within Howgate Road, the existing properties that adjoin the site are not visible, and therefore, the development could not be seen from these areas, and would therefore not cause harm to the immediate landscape to the south and southeast.

- 7.52** Steyne Road is located to the north of the site, and this is a residential area, with the north and southern sides of the road aligned by housing in a relatively close-knit fashion, with the majority being two-storey in height. The site frontage onto Steyne Road previously formed a gap in the urban frontage, between Popes Cottage and a detached bungalow to the east. However, planning permission has been granted for nine houses on this land, forming a relatively dense frontage of two and one and a half storey housing that would largely screen the development. Limited views of the development would be possible between Popes Cottage and Damson Cottage, which are adjacent to the north-western corner of the site, and which are separated by garden areas with limited boundary screening. However, these views would be seen in the context of the already built-up Steyne Road, with the proposed housing set back behind existing housing. Thus, the development would have a limited visual impact when seen from Steyne Road, causing change that would be largely imperceptible.
- 7.53** The area of land to the east of the site includes the large residential estate around Lincoln Way and Brook Furlong. These are densely laid out areas of single storey housing development, arranged around open plan estates, with housing backing onto the recreation ground that adjoins the eastern site boundary. The proposed housing would be apparent from the gardens and some of the housing to the east (including from rear elevations of houses in Steyne Road, Lincoln Way and Downsvie Road). But these views would be from oblique angles and at increasing distance, with the eastern boundary hedge screening much of the elevations of the proposed housing. Views would therefore be of a new roofscape, in views containing existing housing and therefore, the level of change from these areas of housing would be minor.
- 7.54** When within the recreation ground, more direct views to the west would contain the proposed housing. Again, the eastern boundary hedges would mitigate the appearance of the development, with existing trees and the set back of housing from the boundary further reducing its prominence. Views would therefore be of upper elevations and roofing. This would alter existing views but to an extent that would be limited and mitigated by the already surrounding housing. It is considered by officers that the development would result in minor harm when seen from the east. When beyond the recreation ground views of the site would not be possible.
- 7.55** At greater distances Bembridge is not a prominent settlement, occupying a relatively level area of landscape. The landscaping to the west of the village forms a wide floodplain, the extends from Bembridge Harbour, towards Brading and between St Helens and the edge of Bembridge Down. This is a low area of marshland that forms part of the Harbours and Creeks character defined by the East Wight Landscape Character Assessment (the LCA). From here views to the east towards Bembridge are edged by a network of woodlands and wooded corridors, which screen the village. Thus, the development would not be seen from this landscape area.

- 7.56** The landscape to the north and that runs between St Helens towards Brading begins to rise so that much of this area occupies a slightly higher land level than Bembridge and the application site. This area is defined as being within the Traditional Enclosed Pastureland character area, by the LCA. From higher ground in this area, there are views towards Bembridge and parts of the roofscape of the village centre can be seen but at significant distances of between 1.7 to 2.5km. However, the southern edges of the village, within which the site is located, are not visible from these areas, due to the land level of the village falling slightly to the south and owing the wooded character of the village. The development would not be perceivable from the landscape to the north and therefore, have no impact on it.
- 7.57** The landscape further southwest is within the AONB and dominated by the chalk downland that forms Bembridge Down, a hill that reaches 100m above sea level at its highest point. The south-western edges of Bembridge are visible from the northern slopes of Bembridge Down but in a similar manner to the lowland landscape to the west of the village, the belt of woodland that surrounds the western edge of the village screens existing housing and the application site. Instead, views towards the village are dominated by the caravan sites around Hillway, which are a significant presence in the panoramic vistas north of the Down. Because the application site cannot be seen from the distant landscape to the southwest, it results in no landscape or visual impact.
- 7.58** In summary, officers consider that the site would not result in material landscape impacts to distant locations given the well screened nature of Bembridge. In terms of closer vantage points, the site occupies an area of landscape that is level with much of the existing village and therefore, the proposed housing would be screened from locations to the north, south and east by existing development, and the mature hedgerows and trees that align site boundaries. The development would be visible from Hillway Road to the west, from where the housing would cause a moderate but material level of harm to landscape character.

#### *Design and layout*

- 7.59** Policy DM2 (Design Quality for New Development) states that the Council will support proposals for high quality and inclusive design to protect, conserve and enhance the Island's existing environment while allowing change to take place. The policy states that development proposals will be expected to provide an attractive built environment and be appropriately landscaped.
- 7.60** Policy BNDP.EH.1 of the Neighbourhood Plan requires development to respond positively to the local character of its environment, demonstrate a high quality of design and a good standard of amenity for existing and future occupants of the land and buildings. This advice is reflected by policy BNDP.D.1 which states that development proposals will be expected to be of a design that:
- (a) complements and enhances where appropriate the prevailing size, height, scale and mass, materials, layout, density and access of the existing surrounding development
  - (b) demonstrates that the development reflects the existing character of the

locality

as defined in the Bembridge Design Character Appraisal document

(c) demonstrates that the amenities of neighbouring residential occupiers will not be adversely affected through overlooking, loss of light or outlook, over-dominance

or disturbance

(d) provides an appropriate level of landscaping which complements and enhances

the character of the local area.

- 7.61** The plans show that the site would be laid out in a relatively low-density manner. The eastern side of the site adjoins the edge of the village and here, there would be a row of dwellings laid out in relatively compact line, but this area of the site would be less visible and comparable to the housing to the southeast (Nansen Close and Lincoln Way) as well as housing within nearby Steyne Road. The central and western areas of the site would be laid out in a more spacious fashion, with greater separation between properties, and larger rear gardens. Small front gardens would also be provided, combining with the proposed access roads and pavements to provide good separation distances between the facing front elevations of houses. This would allow street scenes to appear more spacious, allowing for tree planting and landscaping that would soften the appearance of the overall development.
- 7.62** The housing that would occupy the western boundary of the site would include particularly deep gardens, allowing a significant degree of space between rear elevations and nearby Hillway Road, with a boundary hedge and mature trees between. Unit 39 would be closer to the highway, but this has been designed to be a chalet bungalow, with its side elevation adjacent to Hillway Road. There would be a hedge and grass verge adjacent to the highway and this would preserve the sense of space and prevent the property from appearing dominant within the street scene.
- 7.63** The plans show that the site would include significant additional tree and shrub planting to build upon the retained mature trees and hedgerows. The Landscaping Strategy shows that dwellings would include front hedgerows, with higher hedgerows to separate rear gardens and blocks of housing. These would combine with proposed street trees and gardens to allow the development to provide a transition between the urban areas of Bembridge to the east, and the countryside to the west.
- 7.64** Moreover, the plans show that the site would include significant areas of open space. The southern section of the site would include a belt of open space, arranged around existing mature trees and this would blend with a proposed pond to provide a rustic and attractive vista, across the site from the new access onto Hillway Road. This would combine with the large gardens that would surround units 61 to 65 to provide a low density and well landscaped appearance.
- 7.65** In addition, a further area of open space would be provided to the north of the site. Again, this would be arranged around retained mature trees, providing a link



between the site and the woodland to the west. This network of open spaces, mature trees, hedgerows and additional planting would reduce the visual impact of the housing, while providing a high-quality landscaping scheme, that due to the existing mature trees and hedgerows, would, in part, be in place from an early stage of the development, should it be approved.

- 7.66** Officers are satisfied that the proposed housing would be laid out in a suitable manner, to prevent issues of overlooking or lack of natural light between each property. Each property would comprise a suitable garden area, with outlook onto the proposed and retained hedgerows and trees. In addition, parking areas have generally been designed to be between properties, preventing the areas to the front of housing from appearing car dominated, and allowing most properties to include front garden areas, which would add to the landscaped approach for street scenes, that would allow the site to reflect its rural surroundings and the character of the existing village. Officers consider that it would be reasonable to apply conditions to retain the open landscaped nature of the areas to the front of properties, while also removing permitted development rights for curtilage buildings, which would allow the Planning Authority to regulate the design and layout of site in future.
- 7.67** Hampshire Police's Designing Out Crime Officer has concerns regarding a proposed pedestrian link between the site and Steyne Park. The plans show that the link would be located to the east of the entrance to the site, adjacent to unit 10. While this would be a positive addition to the development, allowing direct access to the park, the route would be narrow and enclosed. It is noted that there have been reports of anti-social behaviour within Steyne Park, and therefore the comments provided by the Police are noted. Officers therefore agree that this element of the scheme should be removed, and that the amenity area for plot 10 should be extended into the area, currently shown for the link. This issue could be controlled by condition.
- 7.68** The Officer has also referred to the proposed bus stop, to be sited adjacent to Hillway Road, between plots 47 and 48. The bus stop would be located within a wide area of open space, which would allow an attractive vista towards the open space and mature trees further east. The Designing Out Crime Officer has advised that there would not be suitable surveillance of the bus stop to allow it to be fully enclosed, and therefore has commented that it should include a single (possibly glazed) elevation and roof. Officers agree with that approach and consider that the final design for the bus shelter could be agreed by condition.
- 7.69** The site is not within the AONB landscape but is within close proximity to it. To protect the rural character of the area, and the nearby AONB it would be important to ensure that the development would not result in detrimental levels of light pollution. Lighting is also an issue referred to by the Designing Out Crime Officer and officers consider that should consent be granted, the detailed design and location of lighting could be provided via conditions. This would allow the Planning Authority to control the method of external lighting and to ensure that suitable design measures would be put in place to prevent glare or light spillage.
- 7.70** In terms of design, the submitted plans show that the housing would comprise a relatively traditional appearance. Several house types have been proposed, with a variance of two storey houses and bungalows. The plans show that the

proposed bungalows would have an arts and crafts appearance, with traditionally styled windows and design details such as faux timber detailing for gables, porch detailing and dormer windows. These design features would provide visual interest, breaking up elevations and the mass of these properties. The bungalows have been shown to be located within the southern section of the site, set within large gardens, surrounded by open space and landscaping. This would provide a high-quality street scene, that would reflect the more historic eastern edge of Bembridge where there are arts and crafts style properties set within large curtilages.

**7.71** The two storey houses would occupy the denser sections of the site, and these have been designed to reflect the more recent inter-war housing that is close to the site, within Steyne Road. Pairs of semi-detached houses have been designed in two different ways. The first would have a simpler design approach, with flat front elevations, enlivened by porches for each unit, brick detailing and traditional four-pane style windows. The second type has been designed to appear as a single larger house, that would comprise a two-storey bay window and pyramidal roof, with one front entrance and another on the side elevation. The proposal would also include detached two-storey houses. These would again have a traditional appearance with one design variation including bay windows, a pyramidal roof and porch detailing, to reflect the similar houses within Steyne Road.

**7.72** Officers consider that the proposed design approach would be acceptable and reflect the characteristics of housing in the locality. Elevations would be well balanced, and the mix of design features outlined above would result in housing that would have an attractive and acceptable appearance. The variety of design approaches and the spreading of different unit types throughout the site would prevent uniform and bland street scenes. Instead, the street scenes would appear coherent, but with suitable variety. Moreover, the rows of houses have been positioned carefully, to provide interesting vistas which would combine with the proposed front gardens, hedgerow and tree planting to provide a rural appearance to the development.

*Conclusion on impact upon the character of the surrounding area*

**7.73** Officers consider that the design and layout for the development would be acceptable, reflecting the characteristics of nearby housing and the pattern of development to the north and east of the site. The site would provide a transition between the village to the east and countryside to the west, with housing on the western side of the site set back from the retained line of trees and hedgerow onto Hillway Road. Moreover, the provision of open spaces, hedgerow planting and additional tree planting would provide street scenes that would reflect those of the existing village. The design and layout for the development is therefore considered to comply with the design related policies contained within the Island Plan and Neighbourhood Plan.

**7.74** Officers consider that the development would not be readily visible from distant vantage points due to the screening effects of woodland close to the site, and the topography of the landscape surrounding Bembridge. The development would be most visible from close proximity and in particular from Hillway Road, which aligns the western boundary of the site. From here, the current landscape of

attractive farmland would be changed to an urban area, with rows of houses arranged around estate roads and gardens.

- 7.75** As noted above, the landscape impact of the development would be mitigated by the existing mature trees that align Hillway Road, but nonetheless, would be readily noticeable and substantially alter the current views of farmland to one of development. This would result in significant change to the landscape character of the immediate area, which when considering the mitigating factors outlined above, would, in officer's opinion, result in a moderate but material level of harm, combined with the minor level of harm experienced from the recreation ground to the east. It is considered that this harm would weigh moderately against the proposed development.

#### Impact on neighbouring properties

##### *Impact on properties*

- 7.76** To the west of the application site is Steyne House, set in a large parkland setting and its boundary that is adjacent to the application site is formed by an area of woodland, which includes a dense understorey. Officer site inspections showed that this woodland would screen the development from this property and its curtilage and when combined with the separation distance of approximately 60m, the development would not impact on this property, in terms of overlooking, dominance, loss of light or privacy.
- 7.77** To the south of the site are Howegate and Howgate Orchard. Howegate, a large farmhouse, is set significantly south of the site within a large curtilage, and there is a thick hedgerow that aligns the southern boundary of the application site, that blocks views of Howegate. In between this house and the site is ornamental woodland that would further screen the development, meaning that there would be a very minor visual relationship between the property and its curtilage, and the proposed development. There are several properties located close to Howegate, but these would be more distant from the development and also benefit from the screening effects of the landscaping within this area.
- 7.78** To the east, is Howgate Orchard, a modern dwelling set within a landscaped garden that was previously part of the curtilage of Howegate. This property was granted planning permission in 2019 (P/00282/19) and is located closer to the development site, with the rear (northwest) elevation of the property facing towards the southern end of the application site. The hedgerow in this section of the site is thinner, lower and formed of undergrowth rather than a more readily maintained hedgerow. The development would be visible from this property, both from its garden and first floor windows, which serve a mix of bathrooms, dressing rooms and bedrooms. However, the current vegetation, combined with an intervening orchard within the ground of the property would result in dappled views and the submitted plans show that native hedgerow and specimen tree planting would be planted to reinforce the boundary.
- 7.79** Officers consider that even based on the current boundary treatments, when combined with the set back of Howgate Orchard, the development would not compromise the amenity of this dwelling, but with the proposed landscaping established, impacts would be minor. Moreover, the plans show that the

properties within the southern section of the site would be lower, one and half storey houses set within generous gardens with a suitable separation distance provided between the dwellings and the southern boundary, to prevent issues of overlooking, dominance, loss of light or privacy to Howegate or Howgate Orchard.

- 7.80** Southeast of the site are properties within Lincoln Way and Nansen Close. Number 54 Lincoln Way is located hard against a strip of mature woodland that forms the south-eastern boundary of the site, and there is a line of three houses that face onto the site set further south within Lincoln Way. However, the mature boundary vegetation would screen the development from these properties. This finger of woodland forms approximately 70m of the eastern boundary of the site, extending north from Lincoln Way, and would screen the closest section of the development from properties within this close, with separation distances also preventing issues of loss of light, outlook or privacy so that the impact of the proposed houses on those within Lincoln Way would be minor. The remainder of the eastern boundary is formed by a hedge, and while lower in height than the woodland, there would be a significant distance between those properties that were visible, and this would mitigate any potential impact.
- 7.81** Nansen Close is located further south than Lincoln Way, with modern two storey houses laid out in a quadrant that is off set from the southeast corner of the application site. The boundary hedges and trees thin out within the south-eastern corner of the site, so that the houses within the north-western corner of Nansen Close would have dappled angled views of the proposed housing development. However, the plans show that the nearest property (unit 65) would be located approximately 8m from the site boundary, and approximately 12m from the nearest house within Nansen Close. Officers consider that the existing hedgerow and trees that align the south-eastern corner of the site would screen the development to a large extent, noting that unit 65 would be a bungalow. Therefore, it is considered that the development would result in a minor impact on properties within Nansen Close.
- 7.82** A recently approved development of nine houses would be constructed to the north of the site, with the proposed northern site access running to the east of these properties. Officers consider that there would be adequate space between the proposed and approved dwellings to ensure that suitable living standards would be provided for prospective occupants of either development.
- 7.83** Northwest of the site are two properties, that are located close to the roundabout that forms the junction of Steyne Road and Hillway Road, known as Damson Cottage and Popes Cottage. Popes Cottage is a detached one and a half storey dwelling, with its main elevation facing west. This property's curtilage is adjacent to the application site with an outbuilding between the southern elevation of the property and the northern site boundary. Damson Cottage is a more modern bungalow, which faces west onto Hillway Road and its garden to its eastern side, wrapping round to the north towards Steyne Road. The southern boundaries to these properties are open and denoted by stock fencing, allowing open views across the fields. Units 47 to 51 would be located to the south of these properties and would include two storeys.

- 7.84** The proposed houses would alter the outlook from Damson Cottage and Popes Cottage, particularly from their gardens and side elevation windows. However, officers consider that there would be sufficient space between the existing and proposed properties, to prevent material harm, particularly as the main garden areas serving both properties are further north and away from the development. In addition, it is considered that there would be sufficient separation distances to prevent issues of loss of light or privacy, when considering the boundary treatments that would be provided.
- 7.85** Steyne Road Recreation Ground is located to the east of the site however, to the northeast of the site are houses that front onto Steyne Road. Those within closest proximity to the proposed housing are numbers 59, 61 and 63 Howgate Road. The rear elevations of these houses would be at right angles to the house that are proposed to occupy the eastern boundary of the site, meaning that there would only be oblique views of rear gardens from first floor windows. The closest of the proposed houses to existing properties (units 10 and 11) would be located approximately 48m from number 63 Howgate Road, with the end its garden 18m from these units. Each of these properties comprise curtilage buildings on their rear boundaries and these, when combined with the angled relationship with proposed properties and the high hedge that forms the eastern boundary of the site would prevent loss of privacy, while separation distances would prevent the proposed development from appearing overbearing.

#### *Air quality*

- 7.86** Third party representations raised concerns relating to air pollution. Whilst no Air Quality Impact Assessment has been provided with this application, the guidance EPUK & IAQM Land-Use Planning & Development Control: Planning for Air Quality, outlines situations where an impact assessment should be undertaken, these being an increase of 100 HGVs or 500 cars. The Transport Assessment submitted in relation to this planning application predicts that the development, once fully operational, would generate up to 29 two-way trips during the morning peak hour, and 33 two-way trips during the evening peak hour. The traffic generated by the proposals would be below the criteria mentioned above, and where traffic of a proposed development is below the criteria, the impact is likely to be negligible. Moreover, there are only two areas on the Island that are considered to be close to being areas of concern for air quality, however these are urban areas that are not near to the site, which is located within a rural area.

#### *Construction and transport impacts*

- 7.87** Larger developments can give rise to a temporary loss of amenity as a result of construction activities. therefore noise and dust emissions could impact on the properties closest to the site. The development has the potential to take up to three years to be completed, and it is a standard approach to impose a planning condition to control associated impacts, allowing the Planning Authority to control delivery and working times, the location of site compounds and to secure phasing of the development. These controls would limit impacts to an acceptable level. Therefore, an appropriate condition has been recommended.
- 7.88** The proposed means of access via Steyne Road would be located between the recently approved housing development and number 63 Howgate Road. The

applicant's Transport Assessment predicts that the development, once fully operational, would generate up to 29 two-way trips during the morning peak hour, and 33 two-way trips during the evening peak hour (when residents are driving to and from work for example). It should be noted that residents would have the choice to use the alternative access onto Hillway Road, thus in likelihood the number of traffic movements via the Steyne Road access would be diluted. Even if all traffic did use the access onto Steyne Road, the busiest hours would generate potential for one vehicle movement per minute, which would be a relatively low level, with traffic movements for remaining hours being lower. The properties located adjacent to the proposed access front onto an existing highway, and therefore it is considered that traffic associated with the proposed housing would not cause harmful disruption as a result of the proposed means of access.

- 7.89** In conclusion, it is considered that the proposed development would not compromise the amenity of nearby existing properties, because of the layout and scale of the development, the construction phase or as a result of traffic, subject to conditions being imposed to control operational development. Therefore, the proposed development is considered to comply with the requirements of policy DM2 of the Island Plan.

#### Impact on heritage assets

- 7.90** Policies DM2 and DM11 of the Core Strategy state that the Council will support proposals that positively conserve and enhance the special character of the Island's historic and built environment and which preserve or enhance heritage assets and their settings. Furthermore, sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places duties on the Council in the exercise of its planning functions to pay special regard/attention to the desirability of preserving a listed building, its setting, or any features of special architectural and historic interest which it possesses.
- 7.91** Heritage assets include conservation areas, listed buildings, registered parks and gardens, scheduled monuments and locally listed buildings. The application site is not the subject of these designations and is located within an area of countryside adjacent to residential development. However, Howegate (also known as Howgate Farm) and Steyne House are grade II listed buildings located to the south and west of the site. The heritage section of the applicant's Design and Access Statement considers the impact that the development would have on these heritage assets.
- 7.92** When considering the impact on the significance of a designated heritage asset, the NPPF advises that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It adds that any harm to, or loss of the significance, should require clear and convincing justification and that in terms of substantial harm to an asset, consent should be refused, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following circumstances set out in paragraph 201 of the NPPF apply. Where there would be less than substantial harm, the NPPF requires this harm to be weighed against the public benefits of the proposal.

### *Steyne House*

- 7.93** Steyne House is a large early 19<sup>th</sup> Century two-storey house with hipped slated roofs, a mix of sash, French and casement windows. The house is set within parkland grounds, which form its setting and the main aspect of the property is south-east and so parallel to the application site. A collection of curtilage buildings is situated west of the house; these are not listed buildings but could be considered to be curtilage listed, contributing to the setting of the main house. The wooded boundaries give the land and house a secluded and private feel. Access to the house and its grounds is from Sandown Road, where there is an arts and crafts style gatehouse, and modest brick pillars. These are not listed buildings but are heritage assets. However, the officer site visit showed that these share no relationship to the application site due to distance and screening and would therefore not be affected by the development.
- 7.94** Steyne House shares a similar land level to the application site and is set approximately 51m from its eastern boundary with Hillway Road, where there is a dense tree-lined screen preventing views of the house from the highway. There is an informal field access to a field in front of (south of) Steyne House from Hillway Road, but this is gated with high wooden panels and the trees and dense understorey wrap around the internal angles of the access, so that no views are possible of the house, and little of its grounds. Thus, the lined boundary contains no substantive gaps to allow views into, or out of the site and onto Hillway Road.
- 7.95** The application site is not considered to form part of the setting of Steyne House or its surrounding parkland. Combined with the screening provided by Steyne House's eastern boundary, would be the set back of the houses to occupy the western side of the application site, along with boundary hedges and groups of retained mature trees. Officers consider that there would be little to no visual relationship between Steyne House, its grounds or its associated curtilage listed buildings. Based on this, it is considered the negative impact to the significance and setting of the house, its parkland and curtilage listed buildings would be very limited and result no harm.

### *Howegate*

- 7.96** The listing description for Howegate confirms that it was previously a farmhouse, built in 1722 of Bembridge stone rubble, under steep clay tiled hipped roofs. The house is attractive and imposing within its grounds and comprises three main sections, the first two combining to form a square shaped footprint, with a centrally placed two storey off-shut from the rear elevation. The main aspect of the house is southeast, with the rear elevation facing the application site, with gardens, a swimming pool and woodland between. The listing description refers to a modern conservatory, which is located on the western rear elevation and an attached 20<sup>th</sup> Century loggia, which were both deemed to be not of special interest. There are two curtilage structures to the east of the main farmhouse, one being a one and half storey cottage, of similar but much smaller design to the farmhouse and the other a later store, with a clay tiled roof which is set some distance from the farmhouse but connected by the single storey loggia. These combine to form a small courtyard, which is slightly visible from Howgate Road via a narrow access.

- 7.97** In a similar manner to Steyne House, Howegate is enclosed by dense tree lined boundaries, in places with deep sections of ornamental woodland. The application site is separated from the listed building and its curtilage by an approximately 30m deep section of this woodland with a further 40m to the rear elevation of the house, and therefore, the proposed housing would be well screened from it. While previously a farmhouse, it is not apparent when this function ceased, and local records do not appear to provide evidence of this. However, the wooded boundary is mature, containing many specimens of trees which would suggest that the property has not shared a visual or overtly functional relationship with the application site for many years.
- 7.98** Between the listed building and the application site is a lawned garden, that contains a swimming pool and pool house and the collection of curtilage buildings to the east of the house (and away from the site) have a more domestic appearance. The southern boundary between the site and listed building does thin further to the east, but the woodland curves to the south and encloses the gardens northeast of Howegate so that there is no visual correlation between the site and the property. Immediately east of this woodland is Little Orchard, a modern dwelling which further infills these views. Officers consider that there would be little to no visual relationship between Howegate, its grounds or its associated curtilage buildings. Based on this, it is considered the negative impact to the significance and setting of the house and curtilage buildings would be very limited result in no harm.

#### *Bembridge Windmill*

- 7.99** Objections to the development have raised concerns that the development would result in the loss of fields close to Bembridge Windmill. The Windmill dates from the 1700s and has recently undergone significant restoration by the National Trust. Being the only surviving windmill on the Island, it is an important heritage asset and a key landmark when approaching Bembridge from Mill Road. The Windmill is a Grade I listed building. However, officer site visits showed that the application site is not visible from the Windmill, nor is the Windmill visible from the site. The Windmill is located 430m to the northwest, and when stood on the Mill Road entrance to the Windmill, views to the south include lines of trees and the buildings around Steyne Road and Sandown, which block views of the application site. Based on this, it is considered that there would be no harm on the setting of the Windmill as a result of the proposed development.

#### *Archaeology*

- 7.100** The Council's Archaeological Officer has advised that the application site is of unknown potential for below ground archaeological deposits, and that as a result, an archaeological evaluation would be required should the site be brought forward for development. The Officer has advised that there has been little archaeological investigation in the vicinity of the site, and that most historic environment records relate to built heritage assets of post medieval and dating from the 19/20th centuries, along with findspots of artefacts that are derived from the eroding cliff edge.
- 7.101** Historic mapping and aerial photographs indicate that if below ground deposits are present, they are likely to be relatively undisturbed by cultivation, or previous



development. In view of this, and due to the scale of the development, should the application be successful the Archaeological Officer has recommended that a programme of archaeological works is carried out during the development. This should include a pre-commencement trial trench evaluation, the results of which will inform any further mitigation which may be required. The Officer has advised that any geotechnical site investigations should be carried out under archaeological supervision as these can encounter archaeological deposits and further inform the mitigation strategy. As a result, the Officer has recommended conditions to secure trial pit evaluations, the submission and agreement of a Written Scheme of Investigation and notification of commencement.

*Public benefits/ conclusion on heritage assets*

**7.102** Having regard to the above, the proposal would result in less than substantial harm to the significance/setting of Steyne House, its parkland and curtilage listed buildings (grade II\*), Howegate and its curtilage buildings (grade II) and no harm to Bembridge Windmill (Grade I). This level of impact must be weighed against the public benefits of the proposed development, with great weight afforded to the conservation of these assets and their settings within this balancing exercise.

**7.103** The proposed development would make use of land to provide housing that would socially benefit the community in terms of meeting the Island's identified housing delivery shortfall and local housing needs, including for affordable homes. There would also be economic benefits during construction phases and environmentally in terms of the provision of landscaping within the site, biodiversity net gain, and offsite highway and rights of way improvements, delivered directly and indirectly through the proposed development. Officers are mindful of the impacts referred to above, have given this due consideration, and conclude that the public benefits of the scheme combined would outweigh the less than substantial harm to the significance/setting of Steyne House (including its parkland and curtilage listed buildings) and Howegate and its curtilage buildings. The proposal is therefore considered to comply with the requirements of policies DM2 and DM11 of the Island Plan and the relevant guidance with the NPPF. In terms of the overall balance of consideration for this development, this matter is considered to be a neutral factor, neither weighing for or against the proposal.

Ecology and trees

*Ecology*

**7.104** The application site is not the subject of ecological designations, and its current use is as improved pastureland. The nearest site designated for ecological reasons is Steyne Wood Site of Importance for Nature Conservation (SINC), which is 250m to the west. The site does include mature hedgerows and a collection of mature protected trees.

**7.105** The applicant has provided an Ecological Impact Assessment. This report confirms that both desktop and field surveys were undertaken by a qualified ecologist, with the field surveys identifying that the site is improve grassland surrounded by hedgerows and matures trees. The site surveys found the site had no water features apart from a ditch and did not show evidence of protected

species such as badgers, dormice, reptiles, amphibians, hare, red squirrels or hedgehogs. However, the boundaries were shown to be suitable for nesting birds and the site is used by bats for feeding and commuting, but not roosting.

**7.106** The report concludes that while the development would result in the loss of grazed grassland, the retention of boundary vegetation, central mature trees and the ditch, that ecological harm could be avoided. The report outlines the following mitigation and enhancement measures:

- Retention of boundary hedgerows with enhanced planting
- Planting of hedgerows at residential boundaries with native species
- Installation of a pond/ swale
- Planting of native tree and shrubs across the site
- Enhancement of commuting and foraging corridors across the site
- Species specific bird and bat boxes incorporated into the development

**7.107** At the request of officers, the applicant has provided greater detail in respect of landscaping for the development. The landscape strategy shows that a network of habitat buffers and native hedgerows would be provided throughout the development, with hedgerows measuring up to 0.6m high to front onto the highways combined with further 1.8m high hedgerows to separate rear gardens and blocks of housing. The information confirms that native species would be used to plant hedgerows, including beech for front hedgerows with evergreen species used for the higher 1.8m hedgerows, including oleaster, privet and photinia. Officers would query the use of some of these species and would prefer a mix of such species and native deciduous species to reflect the existing hedgerows in the area but consider that a final landscaping scheme could be secured by condition.

**7.108** The plans also show that a network of new tree planting would be undertaken throughout the site, to link the retained mature trees. The information confirms that new trees would include oak and ornamental garden trees such as maple, serviceberry, cherry, hawthorn and whitebeam. The Council's Ecology Officer has confirmed that the landscaping strategy would be satisfactory and that ecological corridors would be secured throughout the site.

**7.109** The Ecology Officer has advised that a net gain calculation should be provided to ensure that Biodiversity Net Gain (BNG) could be achieved (a 10 per cent enhancement based on the baseline value of the site). While not currently a legal requirement, officers note that BNG is likely to become adopted policy in the near future and therefore consider that it would be reasonable to impose planning conditions requiring BNG to be secured. In addition, the Ecology Officer has recommended that a Biodiversity Mitigation Plan is provided by condition, to ensure that all legal and policy conservation obligations are met for all stages of the proposed development. Officers agree with this suggestion and therefore a condition has been recommended.

**7.110** The site is within the Solent Special Protection Area (SPA) Buffer Zone where proposals that would result in a net increase in overnight residential accommodation are expected to contribute towards the Solent Recreation Mitigation Strategy (SRMS) to mitigate for potential increased recreational pressure on protected species of birds with the SPA as a result of the

development and other residential development within the buffer zone. The applicant has agreed to enter into a planning obligation to secure this contribution in accordance with the SRMS, thus mitigating impacts.

- 7.111** Natural England has published standing advice relating to issues of high levels of nutrients within the Solent water environment, which have resulted in dense mats of green algae in coastal areas. The Southampton and Solent Water Special Protection Area (SPA) is an important habitat for protected species of birds, which use the coast for feeding. Natural England's concern is that the nutrients levels have resulted in algae in coastal areas, which prevent protected species from feeding. Natural England's standing advice is that these issues are caused by wastewater from housing and agriculture.
- 7.112** Natural England's current advice is that development should not add to existing nutrient burdens on designated sites and thus, achieve nutrient neutrality. As set out within the Council's Position Statement: Nitrates, in respect of the Island, this can either be achieved through draining development to the Wastewater Treatment Works (WwTW) at Sandown or other works on the south of the Island (which discharge away from the Solent) or for the developer to demonstrate nutrient neutrality.
- 7.113** In this case, the applicants have confirmed that the site will be connected to the public sewer system. Southern Water have confirmed that this sewer is served by Sandown Wastewater Treatment Works and therefore would discharge into the English Channel and not the Solent. Provided a planning condition is imposed to ensure that foul drainage from the development would only be disposed of via the public sewer served by Sandown WwTW, it is concluded that the proposed development would not add to existing nutrient burdens in the Solent, and therefore avoid impacts to Solent International Sites.

#### *Trees*

- 7.114** Policy BNDP.EH.4 of the Neighbourhood Plan states that new development that will cause the loss of or damage to trees, woodland or hedgerows (including hedgerows of importance) that contribute positively to the character and amenity of the area, must demonstrate there is an overriding need for the development proposed.
- 7.115** The application site includes several groups and individual specimens of protected trees, along with a woodland adjacent to the southern and eastern boundaries. This woodland along with the hedgerows at the site, contribute to the rural character of the area, and are shown to be retained, apart from one hedge that subdivides the fields, running north to south, which would be removed. The Council's Tree Officer has advised that revisions to the proposed development have resolved concerns regarding retained trees, by allowing greater space around them.
- 7.116** The Tree Officer has advised that following the receipt of revised plans, there would be no level changes within the Root Protection Area (RPA) of veteran trees at the site. Moreover, the Tree Officer has confirmed that changes to the garden areas for units 44, 45 and 46 (on the western side of the development) would prevent issues of shading to amenity space, and therefore reduce the

pressure for the reduction of adjacent trees in the future. As a result, the Tree Officer has concluded that the development would result in an acceptable level of impact to existing trees at the site, retaining the grandeur and stature of existing trees. The Officer has recommended conditions to protect trees during the construction phase and to secure future landscaping, and these have been included within the conditions recommended below.

#### *Habitats Regulations Assessment*

**7.117** In its role as Competent Authority, the Planning Authority has undertaken a Habitats Regulations Assessment (HRA), that considers the impact of the proposed development on European sites (SACs, SPAs and Ramsar sites), either alone or in combination with other projects. While the site is not within or close to a European site, due to the potential for prospective residents of the development to result in recreational disturbance and foul water impacts on Solent International Sites, the development could result in significant effects to these designations, and the habitats and species they support.

**7.118** The HRA has considered the interest features of Solent International Sites and their conservation objectives. Taking into account the provision of mitigation measures in relation to recreational disturbance and that treated wastewater would be discharged outside of the Solent, thus avoiding impacts to Solent International Sites, the HRA concludes that the development would not, either alone or in combination, cause a significant effect to these designated sites. Natural England in their role as the Government's advisor for the natural environment in England, have ratified the findings of the HRA.

#### *Conclusion on ecology and trees*

**7.119** On the basis that the site landscaping, Biodiversity Net Gain and ecological mitigation measures can be modified and controlled through conditions and that Solent SPA mitigation would be secured by planning obligation, the proposal would protect, conserve and enhance ecology and biodiversity, and would not have adverse implications for the biodiversity at or adjacent to the site, or the Solent Designated Sites (Solent & Southampton Water SPA/Ramsar, Solent & Dorset Coast SPA, and Solent Maritime SAC) in accordance with the aims of policy DM12 of the Island Plan, the NPPF and the requirements of section 40 of the Natural Environment and Rural Communities Act 2006 and Regulation 63 of The Conservation of Habitats and Species Regulations. Officers consider that the BNG credentials for the development would weight moderately in favour of the proposals.

#### Highway considerations

**7.120** The proposed development would result in an increase in housing and also require the formation of new a new access onto Hillway Road, while using the access approved for the nine houses fronting onto Steyne Road (20/00695/FUL). Therefore, the impact of the development on the capacity of the wider transport network must be considered, as should the highway safety implications of new access arrangements and matters that relate to on-site access and parking arrangements. These matters are considered in turn below.

### *Highway network capacity*

- 7.121** As outlined within the earlier sections of this report, the applicant has provided a Transport Assessment to support the proposals. This includes details of traffic counts for the nearby Sandown Road/ Hillway Road/ Steyne Road as well as predicted traffic numbers associated with the proposed development, based on the nationally recognised TRICs database. The Assessment has predicted the impact that the development (including the approved nine dwellings) would have upon the highway network. The proposals would result in 56 dwellings (noting that one dwelling has been removed from the proposal as originally submitted) and the Transport Assessment predicts that the development, once fully operational, would generate up to 29 two-way trips during the morning peak hour, and 33 two-way trips during the evening peak hour (when residents are driving to and from work for example).
- 7.122** Based on these predictions, the Transport Assessment concludes that both the site access junctions and the mini-roundabout would operate well within capacity during peak weekday periods, reasoning that no junction improvements would be required at either the approved access with Steyne Road or the existing mini-roundabout. The Island Roads Highway Engineer has commented on the proposals on behalf of the Highway Authority and has raised no objection in respect of the traffic generated by the development, either in terms of the proposed junction onto Hillway Road, the use of the approved junction onto Steyne Road or the capacity of the nearby roundabout. The Engineer has commented that based on 2021 traffic figures, both the Steyne Road junction and roundabout would operate well with design parameters during peak hours, and that they would do so even based on predicted growth for the Island up to the year 2026.
- 7.123** The Highway Engineer has advised that there have been three traffic incidents related to the junction of Steyne Road and Mill Road, to the west of the site. These related to one instance of reckless driving in a vehicle with defective tyres and two instances of cars failing to give way to cyclists. These would be considered to be relatively minor incidents involving driver error, rather than design issues with the highway network and would not weigh against the proposals. Island Roads have passed no comment on this issue. Given the comments provided by Island Roads, it is considered that the proposed development would not compromise the capacity of the highway network.

### *Highway safety*

- 7.124** Policy DM2 of the Island Plan requires developments be accessible and safe. The proposed development would be served by a new priority junction formed within the western boundary of the site and opening onto Hillway Road, along with a recently approved junction onto Steyne Road, which would extend into the now proposed development via a 5.5m wide road. In addition, there would be a separate access formed to serve plot 61 from Hillway Road.
- 7.125** The Highway Engineer has advised that because both Hillway Road and Steyne Road are the subject of 30mph speed limits, the accesses should be designed to meet the following criteria:

- Minimum visibility splays of X = 2.4m by Y = 43.0m
- An associated drainage system to minimise the risk of surface water runoff onto the public highway
- Where the vehicle access crosses a public footway, the maximum acceptable gradient is 1 in 20
- The access should be located a minimum of 11.0m from any adjacent road junction or defined pedestrian crossing point

In addition, the on-site layout should include the following:

- Space within the confines of the site for the parking and turning of conventional private motor vehicles so they may enter and exit the public highway in forward gear
- All proposed parking bays set perpendicular to the public highway must provide for minimum dimensions of 2.40m by 4.80m, and where set parallel and adjacent to a classified public highway must be a minimum of 3.5m by 8.0m with a maximum depth of 4.0m to prevent nose-in parking (6.0m x 3.0m adjacent to unclassified roads)

**7.126** The Highway Engineer has advised that the proposed means of access to the site from both Hillway Road and Steyne Road would comply with the requirements for visibility splays, as would the access to serve plot 61 and has raised no objection to the arrangement of these junctions.

*On-site access arrangements/ parking provision*

**7.127** Regarding the internal access roads, the Highway Engineer has advised that these should be designed to be a 20mph environment, with speed reducing features located at intervals no greater than 80m and junction visibility splays to be designed to a minimum of 25m in either direction. The Engineer has confirmed that the internal layout has been designed to take the requirements of Manual for Streets into account.

**7.128** The majority of the dwellings would be served by 5.5m highways, that would pass in a north to south arrangement, with minor junctions leading to side roads. The Highway Engineer has commented that the visibility splays for the internal junction of the side road shown to serve plots 29 and 54 would be slightly below required measurements at 19m, but has not objected to this issue, reasoning that traffic flows would be very low. In addition, the Engineer has confirmed the 5.5m width of the roads would allow vehicles to pass one another, and that turning heads provided would allow refuse and fire vehicles to pass parked vehicles. The layout would also allow for all vehicles to manoeuvre within the proposed junctions and turning heads, and so enter and exit the site safely in forward gear. However, The Highway Engineer has advised that details of tactile crossing points would be required, and officers consider that their recommended condition would be reasonable.

**7.129** The Hillway Road access would lead into a 6m wide access road, which the Island Roads Highway Engineer has advised would be in excess of the 5.5m width recommended by Manual for Streets, potentially resulting in higher vehicle speeds. While not raising an objection to this situation, the Engineer has commented that road width can influence vehicle speeds. Officers consider that

this correct width of the road could be agreed via the conditions recommended by the Highway Engineer.

- 7.130** A separate looped access road would serve the plots which would occupy the southern section of the site, plots 62 to 65. This has been designed to have a more informal, rural appearance with the road circling a pond and lacking pavements. The drive to serve plots 63 and 64 would measure 3.2m in width and the Highway Engineer has advised that this would not allow two vehicles to pass. Nonetheless, the drive would be short, and owners of these properties would be able to see one another and use their own parking and turning areas to allow a vehicle to pass.
- 7.131** The Highway Engineer has confirmed that refuse and fire vehicles would be able to manoeuvre around the loop, although has commented that some properties owners would need to wheel rubbish bins to the end of their driveway, but this is not considered to be an unreasonable situation. The Engineer has confirmed that for the remainder of the site, fire vehicles would be able to reach within the required 45m of each dwelling. The plans also show that an improved bus stop would be provided onto Hillway Road, with the shelter to be set back from the highway within an area of open space. The Engineer has raised no objection to this element of the scheme.
- 7.132** The plans show that several plots would not benefit from direct access to pavements, either opposite or adjacent to them, and the Highway Engineer has raised this as a concern, commenting that this would mean residents walking within the highway. In particular, the Engineer has referred to advice contained within Manual for Streets, which advises that a lack of pavements can cause problems for disabled people, or those with cognitive difficulties. Although officers acknowledge these comments, the scheme includes areas of 'Homezones', which are shared spaces which encourage pedestrian priority and slower traffic spaces. In this respect, Manual for Streets 2 (para. 2.9.4) advises that 'Some shared space schemes also feature a level surface. In these cases, kerbs are omitted and there is no level difference between pedestrians and vehicular traffic. The aim of reducing the definition of areas for pedestrians and vehicles is to indicate that the street is meant to be shared equally by all users of the highway. Indications of implied priority for motor vehicles is removed, as is a physical and psychological barrier to pedestrians which might discourage their using the full width of the highway. Ideally, people should be able to not only cross the street wherever they want to but occupy the full width of the street too.' Officers consider that by adding pavements within these areas, it would provide a different environment and could in turn increase speeds. However, should Councillors consider these to be a reasonable requirement this issue could be controlled by conditions, to ensure that a suitable pavement or path was provided for each property.
- 7.133** The Highway Engineer has advised that the hedgerows shown to the front of properties could hinder visibility from individual dwellings, if allowed to grow in excess of the advised 0.6m height. Therefore, the Engineer has advised that a planning condition is imposed to control the height of boundary treatments, and this is considered to be reasonable. Therefore, taking the above comments into account, the internal highway layout is considered to be acceptable, subject to the issues outlined above being controlled by conditions.

### *Parking*

**7.134** The Council's Guidelines for Parking Provision as Part of New Developments SPD defines the application site as being within Zone 2 for parking measures. As a result, the following guidelines should be met:

- 1 car space per 1 – 2-bedroom unit
- 2 car spaces per 3 – 4-bedroom unit
- 3 car spaces per 5 bedroom or greater unit
- 1 covered cycle space per unit

In addition, policy BNDP.GA.1 of the Neighbourhood Plan requires housing development to provide a minimum of one off road parking space for units with 1 to 2 bedrooms and a minimum of two off road parking spaces for units with 3 or more bedrooms.

**7.135** The submitted plans show that the proposed housing would include the requisite number of parking spaces. In addition, the Highway Engineer has confirmed that all parking spaces would measure the required 2.4m x 4.8m and that swept path analysis has shown that all parking bays and garages could be entered and exited in forward gear.

### *Rights of Way*

**7.136** Policy BNDP.GA.2 of the Neighbourhood Plan states that improvement to the existing network of public rights of way will be supported by the creation of appropriate links. No Rights of Way pass through the site, however, there is a public right of way located south of the junction between Hillway Road and Howgate Road (BB14), which extends south to join the coastal footpath (BB10). The Rights of Way Manager has commented that the proposed development, due to its size, would impact on the rights of network in terms of considerable additional use, and that therefore a planning contribution should be secured to allow improvements to the network in the vicinity of the site, including the coastal path.

**7.137** The Council has recently adopted a Local Cycling Walking Infrastructure Plan (LCWIP) for Bembridge, Brading and St Helens, which aims to create high quality walking and cycling routes, and improve those that already exist, in order to encourage more people to embrace active travel modes. The LCWIP advises that evidence shows that many people would like to make walking and cycling a more regular part of their lives and the projects outlined within the document stem from extensive public engagement with local communities. The LCWIP for this area, identifies the provision of a range of walking and cycling projects, which are shown below (the site is marked with a red dot):



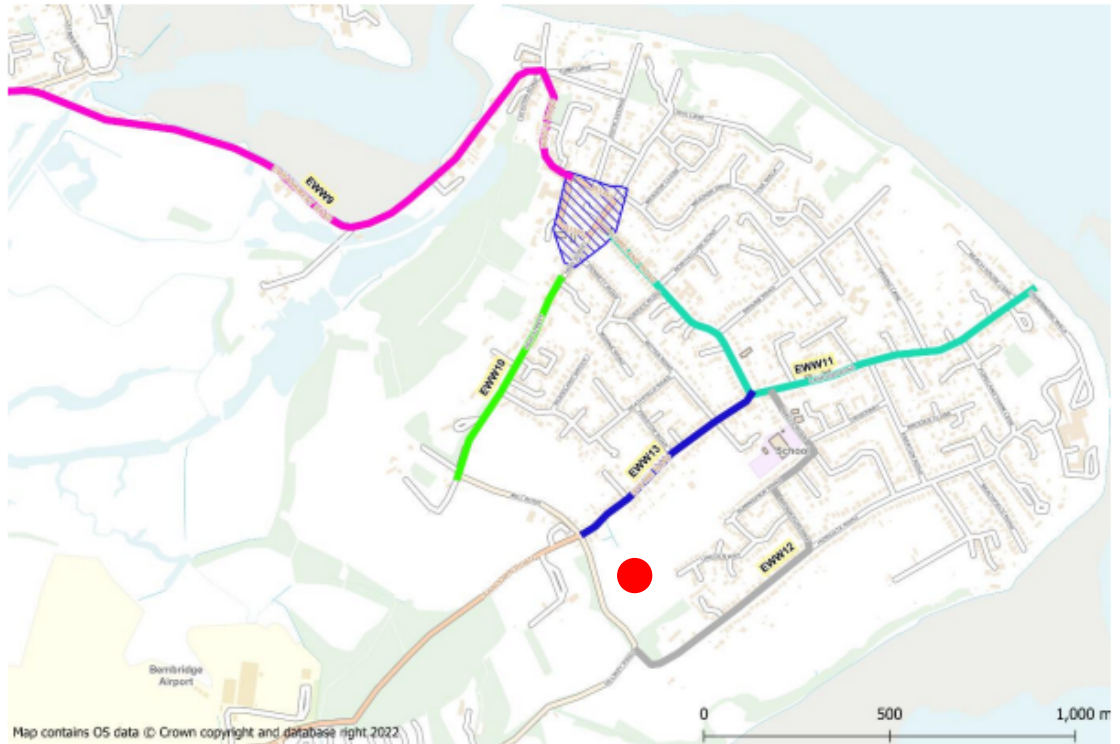


Figure 5 - Proposed Walking Network, Bembridge

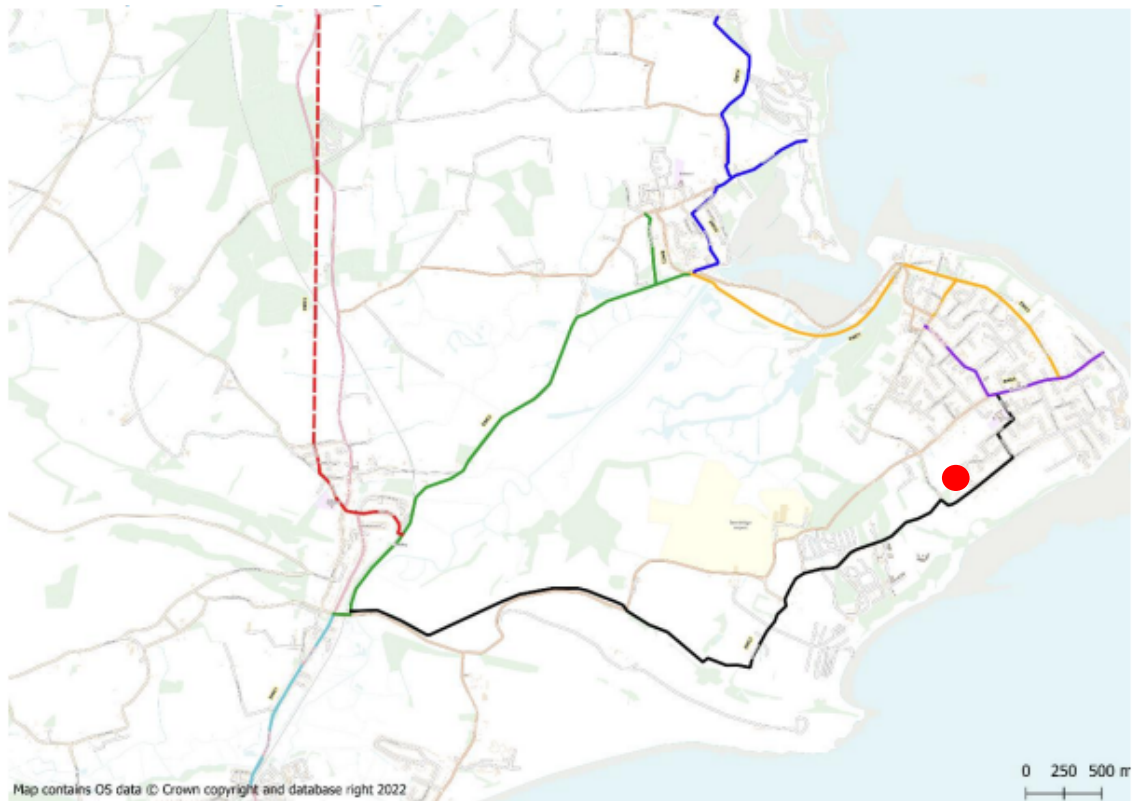


Figure 23 - Proposed Cycle Network

**7.138** As can be seen, the LCWIP proposes walking and cycling improvements within the area close to the site, with the walking routes aimed at linking Steyne Road to Howgate Road (shown in blue and grey on the above plan). However, this route would still require pedestrians to walk along a 400m section of Hillway Road, to

reach either Steyne Road or Howgate Road. Following negotiations by officers, the applicant has agreed that the route could divert through the development site, relying on the various proposed pedestrian routes. In addition, the applicant has agreed to extend a path to the south of the Hillway Road access, to extend up to the south most point of the site. This would reduce the section of the route within the highway to circa 100m. In addition, the applicant has agreed to provide a planning contribution towards rights of way improvements, which could then either be used to fund further improvements to the LCWIP route, or other rights of way in the area.

#### *Conclusion on highway considerations*

- 7.139** Having regard to the above, it is concluded that, subject to securing the proposed access and highway works by condition, and the recommended conditions are imposed, the proposed development would provide safe and suitable access, would promote sustainable travel options, reduce car reliance, and it would comply with the requirements of the Council's Parking Guidelines. Therefore, the proposed development would not negatively impact on the highway network in accordance with the aims of policies SP7 and DM17 of the Island Plan and the NPPF. In addition, the development would assist in delivering the walking improvements set out within the LCWIP, allowing pedestrians to walk between the coastal footpath to the village, and significantly reducing the distance within the highway. In terms of the overall balance of consideration for this development, highway related matters are considered to be a neutral factor, neither weighing for or against the proposal. However, the provision of the right of way link and financial contribution towards future right of way improvements are considered to be moderately beneficial benefits that weigh in favour of the scheme.

#### Drainage and flood risk

- 7.140** Planning policy guidance aims to steer development away from areas at the highest risk of flooding. The site is located within flood zone 1 and at the least risk of flooding, and as a result the requirement for a Sequential Test and Exceptions Test as set out within the NPPF are not engaged. The site is therefore, considered to be strategically acceptable in terms of flood risk. However, the site should be designed to prevent it from causing localised flood events.
- 7.141** Objections to the planning application have raised concerns about flood risk issues that affect Bembridge. The Council has recently undertaken a [Flood Investigation](#) in relation to recent flood events within Bembridge (Bembridge Section 19 Flood Investigation, May 2022) and this found that there were flood events reported in Bembridge on eight separate occasions in 2021. Appendix L (Bembridge) of the Isle of Wight Local Flood Risk Management Strategy explains that modelled surface water flood risk tends to follow the highways in Bembridge as there are no formal watercourses of significance, with those most likely to be subject to overland flow including Steyne Road, with surface water flooding generally contained by the highway.
- 7.142** The Section 19 Investigation showed that flooding events took place at the Steyne Road roundabout, where flows converged to cause ponding here (see

section 4.2.2 of document) with some ponding further east, within Steyne Road. These events were caused by exceptionally high rainfall events that the Environment Agency has predicted to have an approximate 2 to 5% probability of occurring annually. The Investigation showed that the northern section of the site was water-logged during the 2021 events, with the Investigation concluding that underlying Bembridge Marls would have resulted in the site having a run-off rate of 50%, increased by soil conditions prior to the July rainfall event, meaning that the intense nature of the rainfall was greater than the infiltration capacity of the soils. Thus, the water ponded in the field with some overland flows.

- 7.143** The Investigation advises that there is no single source of flooding, and instead various issues such as gravel run off to combined sewers from unsurfaced roads contribute to flooding. The Flood Investigation proposes potential strategic solutions to flood issues within Bembridge. These include the use of modelling for the drainage system for the whole village, to allow a surface water management plan to be adopted that would seek to address the issues causing flooding, a property flood resilience scheme, upstream flood attenuation and improvements to the management of gullies, ditches and other drainage assets.
- 7.144** While the recommendations within the Section 19 Flood Investigation relate to strategic solutions, it nonetheless advises that development proposals could contribute to the reduction in upstream flows. The Investigation advises that *'Development offers one way of mitigating current surface water flood risk through on-site measures that would otherwise be unlikely to be economically viable on their own or delivered.'*
- 7.145** The applicant has provided a Drainage Strategy, that proposes to direct surface water from the site to the existing drainage network to the north of the site, rather than using natural infiltration. That is because the geology of the area is known to be poorly performing in terms of infiltration, with this situation confirmed by infiltration testing undertaken at the site in 2020.
- 7.146** Surface water from the site currently drains to the public highway drainage system, via two 15mm diameter pipes connect to the highway drainage system, with run off rates of 17.7 l/s (litres per second) per pipe, and so a total run off rate of 35.4 l/s to the system. The drainage strategy proposes to reduce these rates through a range of attenuation measures. Firstly, all drives, parking and home zone areas would be constructed using permeable block paving to attenuate flows, although the available storage that these areas would provide has not be factored into the final calculations within the Drainage Strategy, and so in effect, these areas would add to the storage capacity for the site.
- 7.147** Surface water drainage from the site would be directed to a system of underground storage tanks (AquaCells) which have been designed to have a capacity to cater for a 1 in 100-year storm event, with the standard 40% increase factored in for climate change. These tanks would hold water during a storm event, releasing water once the event had receded. Water from the tanks would be directed to two approved attenuation ponds within the development site to the north, with a hydro-brake included in advance of the ponds, to prevent excessive flows. The ponds would include a permeable liner to allow some infiltration, but these would direct stored water to the highway drainage system, again with a hydro-brake included to restrict flows to 22.3 l/s.

- 7.148** Island Roads have agreed that surface water flows to the highway drainage system can be accepted, subject to the agreed run-off rate of 22.3 l/s, which would not result in an increase in storm water flows to the highway drain. Officers consider that this scheme, would ensure that surface water for the development would be suitably managed but also reduce flows to the highway drain and therefore assist in providing one of the solutions for localised flooding within Steyne Road that is outlined within the Section 19 Flood Investigation.
- 7.149** As outlined within the ecology section of this report, foul water from the development would be directed to the public sewer. Southern Water have confirmed within their comments, that they could provide foul sewage disposal for the development, subject to the necessary formal application process being applied for and have therefore recommended informatives in the event of permission being granted. As a result, on the basis of the Drainage Strategy, officers are satisfied that the development would result in a significant reduction in the greenfield run-off rate and, as a result would not increase the risk of localised flooding and instead, assist in reducing the potential for such events within Steyne Road. The development is considered to comply with the requirements of policy DM14 of the Island Plan with the flood elevation measures provided to be moderately beneficial benefits that weigh in favour of the scheme.

#### Other matters

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

- 7.150** 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.”

It is noted that the submission to secure Biosphere status included the Council’s planning policies and its approach to development. As such, it is considered that the status, which is not a planning designation, will not be negatively impacted by the Council permitting sustainable development.

- 7.151** 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.

- 7.152** The socio-economic characteristics are referred to as being a “strong, modern manufacturing sector in comparison with southeast 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.

**7.153** As set out above, 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 consider that the proposed development would not compromise the designation, which is focused on allowing sustainable development to take place.

*Impact on tourism*

**7.154** Several comments have referred to the impact that the proposed development may have on the Island’s tourism sector. The tourism industry is a significant employer for the Island and contributes substantially to the Island’s economy, with several tourism accommodation sites located to the southwest of Bembridge. However, the proposed development would result in limited impacts on the surrounding countryside, with impacts concentrated on the highway that passes the site, Hillway Road. However, these impacts would be from a relatively discrete area, with tourists passing first a development site and then housing. Officers consider that neither would be out of place noting that the site is not visually linked to key tourism destinations. There would not be direct views of the site from other important tourism destinations and therefore it is considered that the development would not compromise the tourism industry for Bembridge or the wider the Island.

*Strategic Housing Land Availability Assessment (SHLAA)*

**7.155** Public comments have queried why this site was considered to be deliverable via the SHLAA process. A SHLAA is a technical exercise to determine the quantity and suitability of land potentially available for housing development in a local authority area. Through the SHLAA process the Council seeks to identify available sites with the potential for housing, assess each site’s housing potential and assess when these sites are likely to be developed. To be assessed, sites must:

- be 0.2ha or more in area and have the potential for at least 10 dwellings
- be located within or adjacent to an existing settlement or in a sustainable location
- the land must not be within a designated SAC, SPA, SSSI or Flood Zone 3b, and
- not already have planning permission for residential-led development

Sites are then assessed in respect to their:

- Suitability (taking into account planning related matters such as access, landscape impact, impact on trees and planning designations)
- Availability, and
- Achievability

However, a site’s inclusion within the Assessment does not grant planning

permission, indicate that planning permission will be granted and nor does it allocate the site for housing within the Local Plan. The assessment is a technical document forms background information to support the production of the Local Plan and its review.

## **8. Planning balance and conclusions**

**8.1** 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*

**8.2** The NPPF states that the economic objective is 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. The application is for residential development but would nonetheless result in the creation of a number of jobs both directly through 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, the new homes bonus and additional footfall for the various shops and businesses within Bembridge. It is acknowledged that the application would result in the loss of a moderate area of lower quality farmland however, the proposal is considered to result in greater economic benefits to outweigh this loss. Officers consider that the development would provide minor economic benefits that would weigh in favour of the scheme.

### *Social*

**8.3** 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 56 additional residential units, of which 20 (36%) would be affordable housing, contributing towards meeting the locally identified housing need (both in terms of a shortfall over the last five years and looking forward), which in turn would help meet the Island's significant housing need. The provision of new homes would also positively contribute to alleviating local affordability issues, and by providing family-sized accommodation assist local home ownership that can help sustain the local school, shops and facilities. Together with the housing the scheme would also provide areas of open space, enhance access to the wider area by providing a right of way between Steyne Road, Howgate Road and the coastal footpath, therefore contributing to the proposed LCWIP and providing a purpose-built bus stop and shelter. Officers consider that the development would not harm heritage assets, nor would it compromise the amenity of occupants of nearby properties or highway safety, while providing a suitable means of access for all users.

**8.4** Paragraph 60 of the NPPF states that it is a Government objective to significantly boost the supply of housing. In addition, paragraph 69 of the NPPF reasons that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, because these are often built out relatively quickly. Bearing this in mind and the contents of the principle section of this report, it is considered that the additional housing combined with other social benefits provided by this development would weigh substantially in favour of this scheme.

#### *Environmental*

**8.5** 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.

**8.6** The proposed development would not compromise designated sites, and confirmation has been provided that foul waste from the development would be directed to the WWTW in Sandown and therefore avoid impacts to the Solent SPAs/ Ramsar site. The applicant has also committed to providing financial contributions in line with the Bird Aware Solent Mitigation Strategy, therefore mitigating the recreational effects of the development on protected species of over-wintering wildfowl. The proposed development would deliver Biodiversity Net Gain and would not compromise protected species or habitats on site.

**8.7** The development would retain protected trees and while a section of hedgerow through the centre of the site would be removed, this would be mitigated by replacement hedgerow planting, which would result in a network of landscaping to provide connectivity.

**8.8** The proposed development would be visually contained from distant viewpoints and would have a limited visual impact when seen from the adjoining village and nearby properties. However, the development would be readily visible from Hillway Road, from where the development would have a moderately harmful impact on the current rural character of the immediate area. The set back of housing, retention of high amenity trees and the boundary hedgerow would mitigate this impact to an extent, but the level of landscape change would remain noticeable and moderately weight against this development.

#### Conclusion

**8.9** As stated above, in the last seven years 3,977 homes should have been delivered across the Island, but a total of 2,620 have been delivered (an average of 374 per annum). This represents a significant shortfall of housing, which has resulted in the presumption in favour of sustainable development being applied to the Council. On a parish level the lack of delivery of market and affordable homes has meant that the need identified in both the parish HNS and the Council's HNA has not been met.

**8.10** The proposal seeks to provide 56 new homes in Bembridge, and Officers consider that the development would result in minor economic benefits, with

moderately adverse environmental impacts that would be outweighed by the significant social benefits brought through the delivery of housing within a sustainable location. As a result, 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 and to comply with the policy guidance outlined within this report.

## **9 Statement of Proactive Working**

### **9.1 ARTICLE 31 - WORKING WITH THE APPLICANT**

In accordance with paragraph 38 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social, and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following ways:

- By offering a pre-application advice service; and
- Updating 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.

## **10 Conditions and 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 below:

Site/ block plans

003 Rev K  
004 Rev A  
005 Rev B  
006 Rev B  
007 Rev B  
008 Rev C  
009 Rev D

012 Rev B  
013 Rev B



017

Floor levels/ cross sections

018 Rev C

019 Rev B

020 Rev B

021 Rev B

022 Rev B

House type plans

101 Rev B

102 Rev B

104 Rev B

106 Rev B

107 Rev B

108 Rev B

112 Rev B

113 Rev B

114 Rev B

115 Rev B

116 Rev B

118 Rev A

119 Rev A

120

121 Rev A

122 Rev A

Garage type plans

123

124

125

126

127

128

129

Levels plans

200 Rev P3

201 Rev P3

202 Rev P3

204 Rev P3

205 Rev P3

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** The construction of the development hereby approved shall be carried out in accordance with a phasing plan, that has been submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. Each phase of development shall be completed with associated drainage and highway infrastructure, landscaping and other matters as approved by the other conditions for this planning permission, unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area and highway safety and to avoid impacts to protected species and habitats and to comply with policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy. This is a pre-commencement condition, given the early stage in the development process that a phasing plan would be required.

- 4** No development shall take place until the results of a pre-commencement archaeological trial trench evaluation have been submitted. The evaluation will be carried out in accordance with a Written Scheme of Investigation which has been agreed in writing by the County Archaeology and Historic Environment Service and approved by the planning authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record in accordance with Policy DM11 of the Isle of Wight Council Island Plan Core Strategy. This is a pre commencement condition given the early stage in the development process at which archaeological information would be required.

- 5** No development shall take place until:  
a) the applicant or their agent has secured the implementation of an appropriate programme of archaeological works in accordance with a Written Scheme of Investigation which has been agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details, or  
b) The Local Planning Authority has agreed that no further archaeological mitigation is required, based on the Written Scheme of Investigation.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record in accordance with Policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy. This is a pre commencement condition given the early stage in the development process at which archaeological information would be required.

- 6** To facilitate monitoring of the on-site archaeological works, notification of the start date and appointed archaeological contractor should be given in writing to the address below not less than 14 days before commencement of any archaeological works:

Isle of Wight County Archaeology and Historic Environment Service  
Westridge Centre

Brading Road  
Ryde  
Isle of Wight  
PO33 1QS

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record in accordance with Policy DM11 of the Isle of Wight Council Island Plan Core Strategy.

**7** No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in respect of;

- Steps to prevent material being deposited on the highway as a result of any operations on the site in connection with the approved development. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development. Any deposit of material from the site on the highway shall be removed as soon as practicable by the site operator
- Areas on site for the parking, loading, unloading, circulation and turning off all construction vehicles to include for operative vehicles within the confines of the site throughout the build process
- Measures to prevent impacts on nearby properties, including hours of working, storage areas for plant and machinery and parking and access arrangements for construction vehicles
- Measures to control the emission of dust, noise and dirt resulting from the site preparation, groundwork and construction phases of the development
- The agreed facilities/ operational measures shall be installed prior to the commencement of development and shall be retained in accordance with the approved details during the construction phase of the development

Reason: In the interests of highway safety and to prevent mud and dust from getting on the highway and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy. This is a pre-commencement due to the requirement for on-site working methods to be in place during the site preparation and construction processes.

**8** No development shall take place until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall set out measures to protect wildlife during both construction and operational phases of the development, based on the principles of the submitted ecological information. The EMP shall include the following additional information:

- The methods of construction and works for clearing vegetation on a precautionary basis (by hand or using light machinery to be agreed as part of this condition) to prevent harm to protected species
- Measures to prevent open trenches from infilling with water, to prevent trapping of wildlife
- Details of working methods to prevent harm to wildlife and habitats at the site
- Details of the location and number of bird and bat boxes to be installed at the site

- Methods of ensuring wildlife connectivity throughout the site
- Details of additional planting and habitat creation (in combination with condition 19) to ensure ecological enhancement and Biodiversity Net Gain
- If during any stage of development of the site protected species are identified that would be impacted by the approved works, an ecologist should be contacted to ensure compliance with wildlife regulations, including periods when works should cease due to nesting and hibernation seasons.

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

Reason: To avoid impacts to, and to ensure the favourable conservation status of protected species and habitats, in the interests of the ecological value and visual amenity of the area and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy. This is a pre commencement condition due to the requirement to protect ecology at all stages of site works.

- 9** No development shall take place until a scheme for the drainage and disposal of surface water from the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority, based on the principles of the Flood Risk Assessment and Drainage Strategy submitted in support of this planning application. Details shall include a management regime for drainage and flood risk alleviation measures to be incorporated as part of the development. Development shall be carried out in accordance with the approved scheme, which shall be completed prior to the occupation of the houses hereby permitted and be retained thereafter.

Reason: To ensure that the site is suitably drained, to prevent issues of local flooding 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. This is pre-commencement condition, given the early stage at which drainage infrastructure would be installed.

- 10** The development hereby permitted shall be connected to the public sewer system and all foul water shall be directed to the Southern Water Wastewater Treatment Works at Sandown for treatment.

Reason: To ensure that the site is suitably drained, to prevent harmful impacts on Solent International Sites as a result of nitrogen enrichment 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 and the advice contained within the Council's Position Statement: Nitrates.

- 11** Prior to the commencement of the development hereby approved details of works to form a new right of way link between the point of the site access onto Steyne Road and the southern end of Hillway Road, passing through the application site, shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include the location/ route of the new right of way along with means

of construction and final surface materials. The right of way shall be at least 2.5m in width. Development shall be carried out in accordance with the agreed details and the new and upgraded right of way shall be completed prior to the occupation of the dwellings hereby approved.

Reason: In the interests of highway safety, to provide safe access to the footpath network and nearby facilities within the village and to comply with policies DM2 (Design Quality for New Development), DM17 (Sustainable Travel) and SP7 (Travel) of the Island Plan Core Strategy. This is a pre commencement condition as the information may result in minor changes to the layout of the highway.

- 12** Notwithstanding that shown on the approved plans, prior to the commencement of the development hereby permitted, details of the uncontrolled pedestrian crossing point (including tactile surfacing) at the intersection of the proposed footway and shared surface street outside plot 23 shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed prior to the first occupation of any dwelling hereby permitted and shall be retained thereafter.

Reason: To ensure that a safe and suitable highway environment is provided and maintained for all users in the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy. This is a pre commencement condition due to the stage in the development for which these works would be implemented.

- 13** Development shall not begin until details of the design, surfacing and construction of any new roads, footways and accesses, together with details of the means of disposal of surface water drainage there from, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details 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. This is a pre commencement condition due to the stage in the development for which these works would be implemented.

- 14** Development shall not begin until details of the sight lines to be provided at the junction between the access of the proposal and Hillway Road have been submitted to and approved in writing by the Local Planning Authority and the development shall not be occupied until those sight lines have been provided in accordance with the approved details. Nothing that may cause an obstruction to visibility shall at any time be placed or be permitted to remain within the visibility splay shown in the approved sight lines.

Reason: In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy. This is a pre commencement condition due to the stage in the development for which these works would be implemented.

- 15** No dwelling hereby permitted shall be occupied until car parking spaces have been provided for each dwelling as detailed on the approved plans. The spaces shall not thereafter be used for any purpose other than that approved in

accordance with this condition.

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

- 16** Prior to the occupation of any dwelling hereby permitted a scheme of soft landscaping in accordance with the principles shown on the approved plans and supporting landscape strategy shall be submitted to and approved in writing by the Local Planning Authority. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. All planting in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the approved development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance of the development is satisfactory, to provide suitable habitat buffers and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 17** Prior to the commencement of the development hereby permitted, a Biodiversity Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The information shall set out details of the location and size of ecological corridors proposed in accordance with the information to be provided in relation to condition 15 and information to confirm that suitable levels of Biodiversity Net Gain are secured for the development (detailing baseline conditions and post development Net Gain). The development shall be carried out in strict accordance with the approved Biodiversity Mitigation Plan.

Reason: In the interests of the ecological value and visual amenity of the area and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy, section 15 of the NPPF and the Environment Act 2021. This is a pre commencement condition due to the requirement to protect ecology at all stages of site works.

- 18** No development shall take place until an Arboreal Method Statement has been submitted to and agreed in writing by the local planning authority detailing how the potential impact to the trees will be minimised during construction works, including details of protective tree fencing to be installed for the duration of construction works. The agreed method statement will then be adhered to throughout the development of the site.

Reason: This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure that the high amenity tree(s) to be retained is adequately protected from damage to health and stability throughout

the construction period in the interests of the amenity in compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 19** Notwithstanding the details shown on the approved plans, prior to the installation of the bus shelter to be located adjacent to Hillway Road, details of the design and appearance of the bus shelter, which shall be one sided and glazed, shall be submitted to and agreed in writing by the Local Planning Authority. The bus shelter shall be installed prior to the first occupation of the dwellings hereby permitted, in accordance with the agreed details and shall be retained thereafter.

Reason: To assist in reducing issues of crime and disorder and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 20** No boundary treatments, bike or bin stores shall be installed until details have been submitted to and approved in writing by the Local Planning Authority of the positions, design, materials and type of boundary treatment, bike and bin stores to be erected. The boundary treatments, bike and bin stores shall be completed before the development hereby permitted is first brought into use. Development shall be carried out and maintained in accordance with the approved details and retained thereafter.

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

- 21** No development shall take place above foundation level until details of the materials and finishes, including mortar colour, bargeboards, cladding (including colour of cladding) and rainwater goods 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.

- 22** No external hard surfaces shall be installed until details of the materials to be used to form the hard surface areas within the development site including any pathways, vehicle access and turning areas shall be submitted in writing and approved 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.

- 23** No external lighting shall be installed until details of means of external lighting for the development have been submitted to and agreed in writing by the Local Planning Authority. Details shall include measures to minimise light pollution and to prevent glare. Development shall be carried out and maintained out in accordance with the agreed details and be retained thereafter.

Reason: To protect the amenities of nearby residential properties, to prevent light pollution from harming the character of the surrounding area and the nearby nature reserve and to comply with the requirements of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 24** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no means of enclosure shall be erected forward of the principal elevation or an elevation facing onto a highway of any dwelling hereby permitted unless agreed in writing by the Local Planning Authority.

Reason: To maintain the network of hedgerows throughout the site in order to provide ecological connectivity, in the interests of the appearance of the development and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 25** Notwithstanding the detail showed on the approved plans, the footpath link between the site and Steyne Park Recreation Ground and shown on drawing 003 Rev K to be north of unit 10, shall not be installed at any time. The land shall instead form part of the residential curtilage of unit 10, with boundary treatments undertaken in accordance with details submitted and approved in accordance with condition 21 of this planning permission.

Reason: To assist in reducing issues of crime and disorder and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 26** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Class F of Part 1 and Class B of Part 2 of Schedule 2 to that Order shall be carried out other than that expressly authorised by this permission.

Reason: To protect the appearance of the site and surrounding area, to prevent excessive surface run-off from hard standings and driveways and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development), DM11 (Historic and Built Environment) and DM14 (Flood Risk) of the Island Plan Core Strategy.

- 27** All boundary structures and landscaping between the proposed highway and any dwelling hereby permitted shall be limited in height to no more than 0.6m above proposed adjacent carriageway level.

Reason: To ensure that appropriate visibility splays are provided and maintained in the interests of highway safety and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.



## **11 Informatives**

- 1** Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: [developerservices.southernwater.co.uk](http://developerservices.southernwater.co.uk) and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

[southernwater.co.uk/developing-building/connection-charging-arrangements](http://southernwater.co.uk/developing-building/connection-charging-arrangements)

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Purpose: For Noting

## Committee report

Committee	<b>ISLE OF WIGHT COUNCIL PLANNING COMMITTEE</b>
Date	<b>13 JUNE 2023</b>
Title	<b>22/23 DECISION REVIEW AND MONITORING AND APPEALS PERFORMANCE REPORT</b>
Report of	<b>STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE DELIVERY</b>

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### EXECUTIVE SUMMARY

1. The Code of Practice for Members and Officers Dealing with Planning Matters requires a report to the Planning Committee providing an analysis of statistics relating to decisions which depart from policy and decisions which are against officers' recommendation for 2022/23. This paper also reports on the Isle of Wight Council's performance on planning appeals, which are an indicator of the quality of its decisions.
2. Within the reporting period there were no decisions that departed from policy and of the 14 applications considered by the Planning Committee ten were determined in line with the Officer recommendation (or with additional conditions required by the Committee), one was determined against Officer recommendation, two were deferred and one ran out of time at the meeting.
3. 54 appeals were received in 22/23 and the Planning Inspectorate issued 37 decisions in the same period. 34 of the 36 decisions related to the refusal of planning permission by officers under delegated authority, with the remaining two appeals being against decisions made at Planning Committee. The overall percentage of planning appeals (against the refusal of planning permission and listed building consent) allowed was 30.6%. This represents an increase against the previous years' figures, although it is noted that due to the relatively low number of decisions issued, the outcome of a small number of decisions can notably affect the overall average.
4. The national level monitoring statistics show that the quality of the Council's decision-making is of a very good standard for non-major and major development, is above the national average and currently comfortably clear of the thresholds for assessing under-performance.
5. This report is for noting and discussion as appropriate.

## BACKGROUND

6. The Review and Monitoring section of the Code of Practice for Members and Officers Dealing with Planning Matters requires a report to the Planning Committee providing an analysis of statistics relating to decisions which depart from policy and decision which are against officers' recommendation for 2022/23. This paper also reports on the Isle of Wight Council's performance on planning appeals, which are an indicator of the quality of its decisions.
7. There is a right of appeal against most local authority decisions on planning permission and other planning decisions, such as advertisement consent, listed building consent, prior approval of permitted development rights, and enforcement.
8. Most appeals are determined by Planning Inspectors on behalf of the Secretary of State. However, the Secretary of State has the power to make the decision on an appeal rather than it being made by a Planning Inspector – this is referred to as a 'recovered appeal'.
9. If an application for planning permission is refused by the local planning authority, or if it is granted with conditions, an appeal can be made to the Secretary of State against the decision, or the conditions, under section 78 of the Town and Country Planning Act 1990.
10. Most planning appeals must be received within six months of the date on the decision notice. Where the appeal relates to an application for householder planning consent and is to be determined via the fast track Householder Appeals Service, there are only 12 weeks to make the appeal (see Annex C of the [Planning Inspectorate Procedural Guide](#)). There are different deadlines by which to submit an appeal under the Commercial Appeals Service:
  - Appeals related to shop fronts must be submitted within 12 weeks
  - Advertisement consent appeals must be submitted within 8 weeks.
11. Monitoring performance at appeal is an important tool in understanding the quality of the local planning authority's decision making.

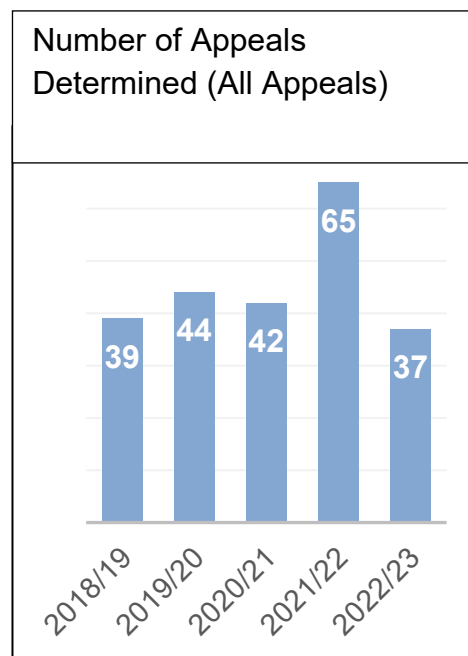
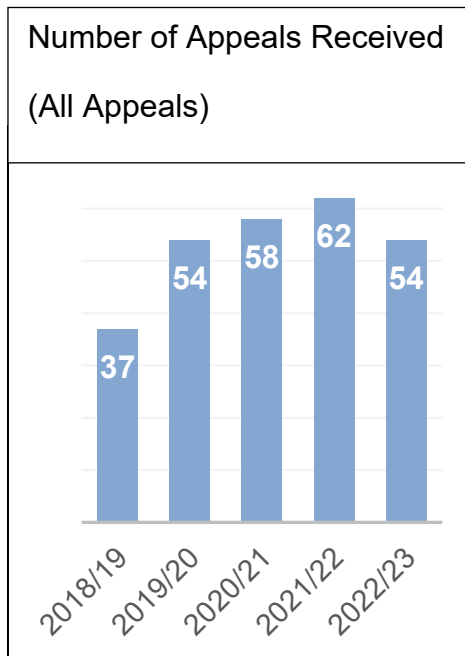
## DECISION REVIEW AND MONITORING

12. Within the reporting period there were no decisions that departed from policy.
13. Of the 14 applications considered by the Planning Committee in 2022/23, ten were determined in line with the Officer recommendation (or with additional conditions required by the Committee), one was determined against Officer recommendation, two were deferred and one ran out of time to arrive at a decision in the meeting.

## LOCAL LEVEL APPEALS MONITORING

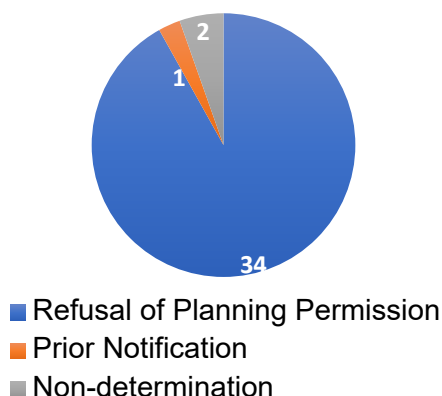
### Appeals received and determined

14. During 2022/23 there were 54 appeals received. This is broadly comparable with the previous three years and the annual average since 2018/19 of 53, as seen in the graph below.



15. During 2022/23, 37 appeal decisions were issued by the Planning Inspectorate. This is significantly less than the number of appeal decisions issued in 2021/22 (65) but is broadly comparable to the previous three years prior to 2021/22, in which between 39 and 44 decisions were issued annually.
16. There were significantly fewer decisions issued than there were appeals received during 2022/23, with 54 cases received but only 37 determined. This is a similar situation to 2020/21 (58 received, 42 determined) but during 2021/22, the intervening year, a notably larger number of appeals were determined, and this was comparable to the number of appeals received (62 received, 65 determined).
17. The appeals determined by the Planning Inspectorate in 2022/23 can be broken down as follows:

**Breakdown of Appeals Determined in 2022 - 23**



Appeal Type	Number and %
Refusal of planning permission	34 (91.9%)
Appeal against prior notification	1 (2.7%)
Appeal against non-determination <sup>1</sup>	2 (5.4%)
<b>Total</b>	<b>37 (100%)</b>

<sup>1</sup> National level monitoring, as referenced in paragraph 30 of this report, sets out that appeals against non-determination should be included within the calculations concerning appeals against a refusal of planning permission.

18. The Planning Inspectorate recognise that they have a backlog of cases and publish monthly statistics on the time taken to issue decisions. Latest statistics published detail, for example, that decisions concerning written representations cases for full appeals issued during February 2023 took an average of 35 weeks to determine<sup>2</sup> against a target of wholly written representations to be determined within 16-20 weeks. Most appeal decisions issued in 2022/23 relate to refusal of planning permission. Other decisions issued related to appeals against prior-notification (one case) and non-determination (two cases).
19. The three procedures for determining appeals, which are generally based on the scale and complexity of the application involved, are:
  - (i) written representations;
  - (ii) hearing; and
  - (iii) public inquiry
20. There is also a facility for the Planning Inspectorate to implement a hybrid procedure, in which some elements of an appeal are considered under written representations but others, such as that requiring evidence under oath, are determined through a public inquiry. All the appeals determined during 2022/23 followed the written representations procedure.
21. The Planning Inspectorate have reverted to holding hearings and inquiries in person in the first instance (with the ability to join virtually if required), moving away from fully virtual hearings and inquiries which were necessary during Covid-19 restrictions.
22. The fast-track Householder Appeal Service, which falls under the written representations procedure, is intended to simplify and speed up the decision-making process for cases concerning the extension and alteration of existing dwellings. There were a total of 13 householder appeal decisions issued in 2022/23, which is notably lower than 2021/22 during which 28 householder appeal decisions were issued. However, 2021/22 stands out as having an exceptionally high number of householder appeal decisions issued, compared to the years prior, in which eight were issued in 2020/21 and five in 2019/20.
23. The expedited written representations procedure includes appeals against refusal of express consent to display an advertisement and appeals against refusal of planning permission for minor commercial (shop front) development. No such appeals were received or determined in 2022/23.
24. The success rate for each type of appeal, for decisions issued during 2022/23 is shown in the table on the following page.
25. The Council's performance is measured as the percentage of appeals allowed against refusal of planning permission or listed building consent (i.e. excluding enforcement, advert, lawful development certificate, prior approvals etc). The industry recognised threshold, indicating good performance, is a maximum of 30 per cent of such appeals allowed. There is, however, no implication to the local planning authority if this figure is exceeded.

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<sup>2</sup> Measured from confirmation of a valid appeal to issuing of decision.

26. In 2022/23 there were 36 decisions issued relating to appeals against the refusal of planning permission (including householder appeals) and listed building consent. Of these, eleven were allowed, which equates to 30.6 per cent. This is above the threshold of 30 per cent but only minimally so. When taking into account the relatively low number of decisions issued, the outcome of one or two cases can notably affect the overall average.

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	<b>Refusal of Planning Permission (Householder Appeals only)</b>	<b>Refusal of Planning Permission (excluding Householder Appeals)<sup>3</sup></b>	<b>Refusal of Planning Permission (A+B)</b>	<b>Appeals against Prior Notification</b>	<b>Total (C+D)</b>
<b>Total Number</b>	13	23	36	1	37
<b>Number (and % Dismissed)</b>	8 (61.5%)	17 (73.9%)	25 (69.4%)	0 (0%)	25 (67.6%)
<b>Number (and % Allowed)</b>	5 (38.5%)	6 (26.1%)	11 (30.6%)	1 (100%)	12 (32.4%)

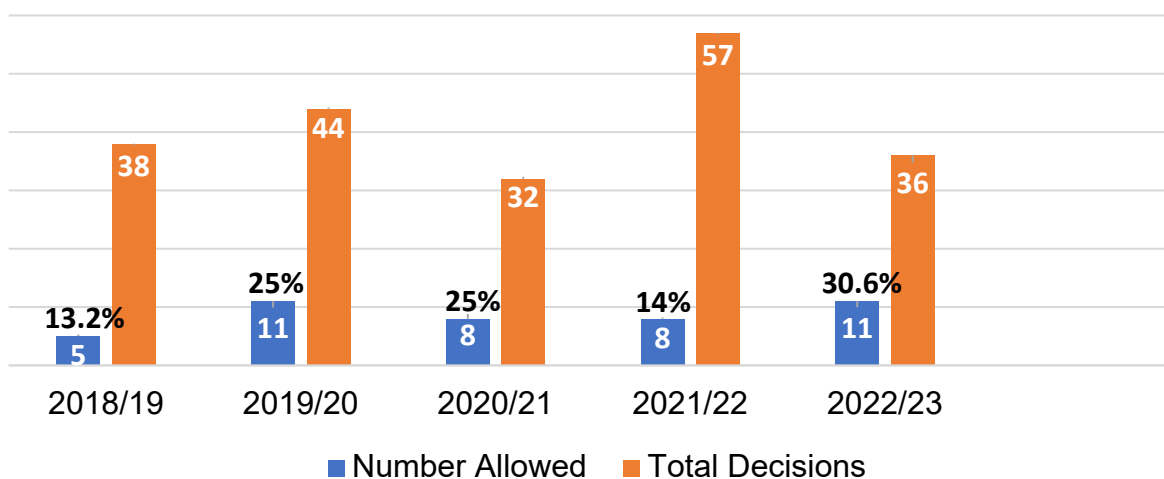
27. The majority (34 of 36) of the appeal decisions relating to the refusal of planning permission issued during 2022/23 concerned applications determined under the delegated procedure. The two remaining decisions issued related to the refusal of permission by the planning committee<sup>4</sup>. In both cases, the applications were recommended for approval but refused contrary to officer recommendation. In both cases, the appeals went on to be allowed, equating to 18.1 per cent (two of 11) of the total allowed appeal cases.
28. The number and percentage of appeals against the refusal of planning permission and listed building consent which were allowed over the past five years are detailed in the following graph.

<sup>3</sup> (including appeals against non-determination)

<sup>4</sup> 20/02026/FUL – Land Adjacent Greenacres, 211 Baring Road, Cowes, PO31 8ER – Proposed 6 detached dwellings, formation of vehicular access, parking and landscaping.

19/00677/OUT – Adjacent 403 Newport Road, Cowes, PO31 8PP – Proposed outline permission for a residential development of 4no. two storey detached dwellings with shared highway access on land to the West of Newport Road.

## Performance - Number and Percentage of Appeals Allowed



### Enforcement Appeals

29. There were no Enforcement Appeal decisions issued during 2022/23.

### Costs

30. There was one application for costs made against the Council during 2022/23<sup>5</sup>. The application was refused.

### Conclusions

31. The number of appeals received during 2022/23 was lower than the previous year (54 in total compared to 62 the previous year) but was in line with the five-year average of 53. The number of decisions (37) was significantly lower than the previous year (in which 65 decisions were issued) but was comparable to the three years prior to that, during which between 39 and 44 decisions were issued annually. The total number of decisions issued during 2022/23 (37) was notably less than the number of appeals received (54) which suggests that there is currently a backlog of cases at the Planning Inspectorate.
32. There were fewer householder appeal decisions issued during 2022/23 than the previous year (13 compared to 28). As there were fewer appeal decisions issued, the proportion of appeals against the refusal of planning permission which followed the householder appeal process was 36.1 per cent (13 out of 36).
33. The overall percentage of planning appeals which were allowed during 2022/23 (against the refusal of planning permission and listed building consent – those upon which the LPA's performance is monitored) was 11/36 which equates to 30.6 per cent. This percentage is notably higher than the previous year in which eight out of 57 cases were allowed, equating to 14 per cent.
34. However, during the two years prior to 2021/22, 25 per cent of appeals against refusals of planning permission and listed building consent were allowed. Overall, the percentage of appeals against the refusal of planning permission and listed building consent which were allowed during 2022/23 was slightly over the 30 per cent indicative threshold. However, in the context of a relatively modest number of

<sup>5</sup> 21/01376/RVC – 1 Thornton Close, Ryde – Removal of occupancy condition to allow building to be occupied as independent residential accommodation



appeal decisions issued, one or two allowed cases can notably affect the overall percentage.

35. There were no appeals against Enforcement Notices determined in 2021/22 and there was one application for costs made against or by the Council which was refused.

#### NATIONAL LEVEL APPEAL MONITORING

36. The performance of local planning authorities in determining major and non-major development is assessed by the Government on two measures: speed and quality. Further information on the criteria can be found at [Improving planning performance: Criteria for designation \(updated 2022\) \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/108111/improving_planning_performance_criteria_for_designation_updated_2022.pdf)
37. The quality of decision making is measured by the proportion of major and non-major decisions on applications that are subsequently overturned at appeal. This is measured quarterly over a rolling two-year period. The threshold for designation on applications for both major and non-major development, above which a local planning authority is eligible for designation, is 10 per cent of an authority's total number of decisions on applications made during the assessment period being overturned at appeal. Should a local planning authority fall below the expected thresholds on either measure they can be designated as 'under-performing', then applicants would be able to submit planning applications direct to the Planning Inspectorate.
38. The current two-year period covers the 24 months to the end of June 2021 (published 21 July 2022), set out in [Live tables on planning application statistics - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/live-tables-on-planning-application-statistics)
39. In the reporting period the council determined 57 major applications, none of which were appealed. As none of the council's decisions on major application were overturned, this represents an improvement from the previous reporting period, in which 1.8 per cent of the council's major decisions were overturned. It is also below the national average of 2.2 per cent of decisions on major applications overturned.
40. There were no 'county matters' (those relating to minerals and waste, as defined by Schedule 1 of the Town and Country Planning Act 1990 and: Town and Country Planning (Prescription of County Matters) (England) Regulations 2003) applications or appeals in the reporting period.
41. For non-major applications there were 2,098 decisions in the two-year period and of these 81 were appealed. Of these 81 appeals, 19 of the council's decisions were overturned. The percentage of decisions overturned at appeal is therefore 0.9 per cent. This is below the national average of 1 per cent.
42. The council's performance at appeal is comfortably below the Government's 10 per cent designation threshold for the quality of decisions on both major and non-major applications.

## EVALUATION

43. In measuring appeals performance, the percentage of appeals against the refusal of planning permission and listed building consent was 30.6 per cent which is higher than the previous three years. However, when taking account of the relatively low number of appeal decisions issued, this does not equate to a disproportionately high number of allowed appeals, with 11 such decisions issued. This is consistent with the previous three years, in which between eight and 11 appeals against the refusal of planning permission were allowed each year.
44. Furthermore, if discounting the two cases which related to applications which were refused by the planning committee, the percentage of allowed cases would be reduced to 26.5 per cent (nine cases). Of the remaining nine cases which were allowed, there are some notable and consistent themes in the issues and size of the proposals.
45. Seven of the nine cases were for relatively minor alterations and extensions to single existing residential dwellings, and five out of those seven cases followed the householder appeal process. Proposals included relatively minor works such as roof gardens and balconies, a first-floor extension, a garden shed and vehicular access, replacement windows and, in one case, the use of an outbuilding as an independent dwelling. The remaining two allowed cases concerned small scale infill development of one or two residential dwellings.
46. In all of the allowed appeals, it is considered that the issues concerned related to the more subjective matters of the effect on the character and appearance of the area; and / or the living conditions of occupiers and neighbouring occupiers. There was only one instance of the planning inspectorate disagreeing on a more technical matter (highway safety).
47. It is notable from the themes within the allowed appeals that the local planning authority is more stringent and critical on matters relating to both design / impact on the character and appearance and living conditions (of existing and new residents) than the Planning Inspectorate. This approach is very much considered to be the right one and it is not proposed that officers change the approach of setting the bar high on these matters, with a view to achieving the best possible planning outcomes for the island.
48. This position, however, will be kept under continual review, should the LPA's appeal performance worsen and increase the potential for meeting the thresholds for being assessed as under-performing under section 62B of the Town and Country Planning Act 1990.
49. There will be a further session for officers and members of the Planning Committee with more detailed analysis of specific appeals to allow for any learning outcomes to shape the future decision-making of the LPA.
50. The statistics set out in this report show that the quality of the Council's decision-making is of a very good standard for non-major and major development, is above the national average and comfortably clear of the thresholds for assessing under-performance under section 62B of the Town and Country Planning Act 1990.

51. Benchmarking the Council's performance, it is slightly better than the national averages for the two measures. The Council's performance on the quality of its decisions remains well clear of the national threshold of 10 per cent for under-performing.
52. It is considered that in the light of these statistics there should be a great level of confidence in the quality of the decision-making of the local planning authority.

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