

# Public Document Pack



Monitoring Officer  
**Christopher Potter**

County Hall, Newport, Isle of Wight PO30 1UD  
Telephone (01983) 821000

## Agenda

Name of meeting	<b>PLANNING COMMITTEE</b>
Date	<b>TUESDAY 24 AUGUST 2021</b>
Time	<b>4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Members of the Committee	Cllrs M Lilley (Chairman), G Brodie (Vice-Chairman), D Adams, M Beston, V Churchman, C Critchison, R Downer, W Drew, C Jarman, M Oliver, M Price, C Quirk  Cllr P Fuller Cabinet Member for Planning and Housing  Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

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1. **Minutes** (Pages 3 - 8)

To confirm as a true record the Minutes of the meeting held on 27 July 2021.

2. **Declarations of Interest**

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



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

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

Questions are restricted to matters not on the agenda. Questions may be asked without notice but to guarantee a full reply at the meeting, a question must be put including the name and address of the questioner by delivery in writing or by electronic mail to Democratic Services at [democratic.services@iow.gov.uk](mailto:democratic.services@iow.gov.uk) no later than two clear working days before the start of the meeting. Normally, Planning Committee is held on a Tuesday, therefore the deadline for written questions will be Thursday, 19 August 2021.

4. **Report of the Strategic Manager for Planning and Infrastructure** (Pages 9 - 80)

Planning applications and related matters.

5. **Members' Question Time**

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to [democratic.services@iow.gov.uk](mailto:democratic.services@iow.gov.uk) no later than Friday, 20 August 2021. 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, 16 August 2021



## Minutes

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

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### 12. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 6 July 2021 be approved.

### 13. **Declarations of Interest**

There were no declarations received at this stage.

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

There were no public questions.

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

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

RESOLVED:

THAT the applications be determined as detailed below:

The reasons for the resolutions made in accordance with Officer recommendation were given in the Planning report. Where resolutions are made contrary to Officer recommendation the reasons for doing so are contained in the minutes.

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

**Application:**

20/01061/FUL

**Details:**

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

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

**Site Visits:**

The site was visited by members of the Planning Committee on Friday, 23 July 2021.

**Public Participants:**

Mr Mark Gaskin (objector)  
Mrs Amy Holliday (Objector)  
Mr Simon Cooke (Ryde Town Council)  
Mr David Long (Agent)  
Mr Iain Delaney (Applicant)

**Additional Representations:**

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

A further representation from Cycle Wight had been received confirming their support for the proposal. A late representation had been received on

behalf of the Pennyfeathers, expressing concerns on highway grounds, and seven emails had been received by the Leader and four additional representation had been received by the Local Planning Authority objecting to the application.

**Comment:**

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

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

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

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

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

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

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

Questions were asked regarding the affordable housing and the company named as managing that aspect of the proposed development as they are not a registered provider, they were assured that affordable housing would have to be provided by a provider of affordable housing, which would need to be agreed with the council, this would be managed through the Section 106 agreement, which would also agree the phasing of delivery and tenure of these units. There was also an opportunity for the Planning committee to

request a percentage of affordable rented accommodation.

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

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

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

The vote fell

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

A number of concerns were raised these were in summary:

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

The Committee were advised by officers that some of the concerns could be overcome by planning conditions, where consultee had not objected, or policies would not support the objection. and therefore would not be defensible at an appeal, the Draft Island Planning strategy was due to go

out to consultation on 30 July 2021, and was therefore deemed to be too early in production to allow much weight to be given when making the decision on this application.

A short adjournment was taken to allow officers time to consider the concerns and formulate a sustainable reason for refusal of the application, based on these.

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

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

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

For (4)

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

Against (4)

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

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

A proposal was made to accept the application in line with the officers recommendation subject to the inclusion of 71% of the affordable housing proposed in the development being required to be affordable rented accommodation was made and duly seconded.

A vote was taken and the result was:

**Decision:**

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

RESOLVED:

THAT the application be approved subject to the inclusion of 71% affordable rented accommodation being provided within the development.  
As per report (Item 1)

16. **Part 4B paragraph 6 (Duration of meetings) of the Council's Constitution**

A proposal to extend the meeting by up to 30 minutes was proposed and seconded.

RESOLVED:

THAT the meeting be extended by up to 30 minutes.

17. **Members' Question Time**

There were no members questions submitted.

CHAIRMAN

## ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 24 AUGUST 2021

### 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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| 1 | 19/01415/OUT<br><br>Land West of 40 - 48 & 37 To 47<br>Broadwood Lane 17 & 24 Forest Hills 2-20<br>& 28 - 36, Arthur Moody Drive, Carisbrooke.<br><br>Outline for residential development<br>comprising 113 dwellings, access from<br>Arthur Moody Drive, roads, footways,<br>landscaping, open space and upgrading of<br>footpath N151 to allow shared<br>pedestrian/cycle use (updated ecological<br>information and archaeological<br>investigation)(revised<br>description)(readvertised application) | Parish: Newport &<br>Carisbrooke Community<br>Council<br><br>Ward: Carisbrooke | <b>Conditional<br/>Permission</b> |
| 2 | 19/01426/FUL<br><br>Land West of 40 - 48 & 37 To 47<br>Broadwood Lane 17 & 24 Forest Hills 2-20<br>& 28 - 36, Arthur Moody Drive, Carisbrooke.<br><br>Proposed 2 detached house with garage; 17<br>pairs of semi detached houses (36<br>Dwellings in total); with access from Forest<br>Hills; associated roads, footways,<br>landscaping, open space and 2 dry ponds<br>(Phase 1)(updated ecological information<br>and archaeological investigation)(revised<br>description)(readvertised application)  | Parish: Newport &<br>Carisbrooke Community<br>Council<br><br>Ward: Carisbrooke | <b>Conditional<br/>Permission</b> |
| 3 | 19/00677/OUT<br><br>Land Adjacent To 403, Newport Road,<br>Cowes.<br><br>Proposed outline permission for a residential<br>development of 4no. two storey detached<br>dwellings with shared highway access on<br>land to the West of Newport Road (revised<br>plan) (readvertised)(revised location)( tree<br>and ecology report)(revised tree and<br>ecology information submitted)   | Parish: Northwood<br><br>Ward: Cowes South<br>And Northwood                    | <b>Conditional<br/>Permission</b> |



**01 Reference Number: 19/01415/OUT**

**Description of application:** Outline for residential development comprising 113 dwellings, access from Arthur Moody Drive, roads, footways, landscaping, open space and upgrading of footpath N151 to allow shared pedestrian/cycle use (updated ecological information and archaeological investigation)(revised description)(readadvertised application).

**Site Address:** Land west of 40 - 48 & 37 to 47 Broadwood Lane 17 & 24 Forest Hills 2-20 & 28 – 36 Arthur Moody Drive, Carisbrooke, Isle of Wight

**Applicant:** DN Associates (Gunville) Ltd.

**This application is recommended for: Conditional outline planning permission subject to the completion of a legal agreement**

**02 Reference Number: 19/01426/FUL**

**Description of application:** Proposed 2 detached houses with garage; 17 pairs of semi detached houses (36 Dwellings in total); with access from Forest Hills; associated roads, footways, landscaping, open space and 2 dry ponds (Phase 1)(updated ecological information and archaeological investigation)(revised description)(readadvertised application)

**Site Address:** Land west of 40 - 48 & 37 to 47 Broadwood Lane 17 & 24 Forest Hills 2-20 & 28 – 36 Arthur Moody Drive, Carisbrooke Isle of Wight

**Applicant:** DN Associates (Gunville) Ltd

**This application is recommended for: Conditional planning permission subject to the completion of a legal agreement**

**REASON FOR COMMITTEE CONSIDERATION**

This is a major application which the former local member requested be considered by the planning committee. The new local member has also objected to the application.

**MAIN CONSIDERATIONS**

- Principle
- Impact on the character of the area
- Impact on neighbouring properties
- Highway considerations
- Ecology and trees
- Archaeology
- Drainage and flood risk

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

- 1.1** The application site is an area of 6.4 hectares located to the west of Forest Hills and Arthur Moody Drive between the approved developments off Ash Lane (north) and Alvington Manor View (south).
- 1.2** The site is formed by two fields, the northern field being relatively flat, with the southern field rising to the south. A ditch and hedge line runs between the two fields.
- 1.3** The area is residential in character with dwellings (or residential development under construction) to the north, east and part of the south. The land to the west remaining open fields, although the boundary itself is delineated by the public footpath N151. The remainder of the southern boundary is formed by an area of woodland and a field, although there is a mature tree line along much of this boundary.

## **2 Details of Application**

- 2.1** This is a hybrid application which seeks outline consent for 113 units and full planning permission for 36 dwellings, which would provide phase 1 of the development.
- 2.2** The full element of the scheme would provide 36 dwellings in a mix of 10 x two and 26 x three bedroom units, the formation of one access from Forest Hills and the provision of green infrastructure, including two dry ponds, planted islands and a green landscape/ecology buffer along the eastern boundary.
- 2.3** The outline element would provide a further 113 dwellings, resulting in a total of 149 units on site. Matters of access and landscaping would be considered at this time with appearance, layout and scale reserved for later consideration.
- 2.4** The proposed development would provide a policy compliant 35% affordable housing within both the full and outline elements. This would be secured by a legal agreement, including a requirement to advertise on Island Homefinder.
- 2.5** Access would be provided from two points; one off Forest Hills and the second from Arthur Moody Drive (the Forest Hills being provided as part of the full element). These points would both be accessed via Gunville Road and Broadwood Lane.
- 2.6** The proposals would also include for a link and extension to an existing public right of way, which would form part of the West Wight cycle track.

## **3 Relevant History**

- 3.1** There is no relevant planning history on the site itself but the recently approved developments to the north and south are considered to be relevant to the consideration of this application and are therefore details below for information.

- 3.2 19/00855/ARM - Approval of reserved matters on P/00395/15 for plots 2,3,4,5,6,7,8,10,11,12,13,14,15 (13 units in total) relating to appearance and landscaping (revised description) at land off Ash Lane, Newport
- 3.3 P/01139/18 - Approval of reserved matters on P/00395/15 for plots 1, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 (37 units in total) relating to appearance and landscaping at land off Ash Lane, Newport.
- 3.4 P/00395/15 - Outline for 50 dwellings (mix of affordable housing, small builder plots and self-build plots) (additional information - foul drainage strategy) (re-advertised) (package treatment plant withdrawn-14.12.15) at land off Ash Lane, Newport
- 3.5 P/01604/13 - Proposed construction of 22 dwellings with parking, landscaping, vehicular access and provision of link to cycle path(Revised layout, additional information relating to site drainage and flood risk and revised information relating to ecology) Revised plans relating to the layout and bedroom numbers for proposed houses, additional information relating to ecology and flood risk, details of surface water drainage (further readvertised application) at Land Adjacent To 70 And Rear Of 97 To 103 Alvington Manor View, Newport.

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

##### National Planning Policy

- 4.1 At the heart of the NPPF (2021) is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay, or where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted.
- 4.2 Paragraph 8 sets out the three overarching objectives to achieving sustainable development. These being:
  - “a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
  - c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving

biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

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

**4.4** Paragraph 110 sets out that:

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

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

**4.5** A key additional consideration to the 2021 NPPF to achieving high quality, beautiful and sustainable places is the acknowledgment of the important contribution that trees makes to the character and quality of urban environments, and the role they play to help mitigate and adapt to climate change. Paragraph 131 sets out that “Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”

#### Local Planning Policy

**4.6** The Island Plan Core Strategy identifies the application site as being located adjacent to the defined settlement boundary and within the Medina Valley Key Regeneration Area. The site is not designated for any other reason but is within 5.6km of the Solent and Southampton Water Special Protection Area (SPA). The following policies are relevant to this application:

SP1 - Spatial Strategy

SP2 - Housing  
SP5 - Environment  
SP7 - Travel  
DM2 - Design Quality for New Development  
DM3 - Balanced Mix of Housing  
DM4 - Locally Affordable Housing  
DM5 - Housing for Older People  
DM11 - Historic and Built Environment  
DM12 - Landscape, Seascape, Biodiversity and Geodiversity  
DM13 - Green Infrastructure  
DM14 - Flood Risk  
DM17 - Sustainable Travel  
DM22 - Developer Contributions

4.7 The Council also has a number of relevant adopted Supplementary Planning Documents including:

- Solent Recreation Mitigation Strategy
- Children's Services Facilities Contributions
- Guidelines for Parking Provision as Part of New Developments
- Guidelines for Recycling and Refuse Storage in New Developments

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

### Internal Consultees

- 5.1 The Council's Environmental Health Officer confirms that there would be no adverse comments in respect of this application and air quality or contamination.
- 5.2 The Council's Crime Prevention Design Adviser has commented on the outline element of the application and recommends a condition, should it be approved, to ensure that the proposed development would achieve secure by design.
- 5.3 The Council's Ecology Officer has recommended conditions, if approved to secure the applicant's proposed ecological mitigation.
- 5.4 The Council's Archaeological Officer has recommended conditions, if approved.
- 5.5 The Highway Engineer from Island Roads has recommended refusal of the outline but conditional approval of the full element. Further comments on this matter are set out within the highway considerations section of this report.
- 5.6 The Council's Drainage Engineer has commented on the application and confirms that the drainage philosophy is acceptable but that the design detailing may need to be revised.
- 5.7 The Council's Tree Officer has commented on the full element of the application requesting conditions if approved.
- 5.8 The Hampshire & Isle of Wight Fire and Rescue Service have confirmed they would require that fire service access is to the standards required under the

Approved Document Volume 1 B5 Section 13. Where these conditions are not met or achievable compensatory measures may be required in certain circumstances. [Officer comment: this is a Building Control document and would therefore be dealt with at Building Regulations stage]

#### External Consultees

- 5.9** Southern Water have commented on the full element of the application, confirming that they can provide foul and surface water sewage disposal to service the proposed development.

#### Parish/Town Council Comments

- 5.10** Newport and Carisbrook Community Council have recommended refusal of the application on the grounds of highway safety and flood risk. They raise the following specific concerns in this respect:
- Vehicular access is insufficient and inappropriate for the expected traffic
  - Displacement of parking for residents and ongoing highway safety
  - Already a dangerous area for vehicles and pedestrians, development would only make this worse

In addition to the above the comment also confirms that members would be looking for a S106 Agreement in terms of necessary community benefits.

#### Third Party Representations

- 5.11** 75 letters of objection have been received in respect of the outline application. The content of which can be summarised as follows:
- Pedestrian, cycle and road safety needs urgently addressing and improving
  - Gunville Road is currently dangerous
  - Parked cars reduced visibility and width of local road network
  - Link needed to the cycle track
  - Development will overshadow neighbouring bungalows, resulting in a loss of light and privacy
  - Access only appears to be from Arthur Moody Drive
  - Traffic generation would increase noise and disruption, increasing the likelihood of accidents.
  - Arthur Moody Drive is too narrow for extra traffic, due to on road parking. Double yellow lines would not be an acceptable solution, as the existing residents and their visitors would have nowhere else to park.
  - Access on Forest Hills would make blind corner between Arthur Moody Drive and Forest Hills.
  - Road width would make it difficult for construction vehicles to access the site.
  - Development would destroy natural habitat, impacting on wildlife and resulting in irreplaceable environmental damage
  - Proposed single access would result in 320 houses using one access

- point
- Traffic survey is out of date and does not take into account the additional traffic associated with Home Bargains
  - The plans are missing turningheads to some of the internal roads.
  - There is inadequate capacity in the local foul sewerage and surface water systems, resulting in an increased risk of flooding
  - Insufficient capacity at schools, doctors, dentists and the hospital (social infrastructure).
  - Access width would make it difficult for emergency vehicles.
  - Loss of habitat
  - Increase in traffic would make it less safe for children to go out and play.
  - Flood wall should be extended
  - Impact on climate change
  - Fields are greenbelt, which should be protected from development.
  - Impact on existing peaceful area
  - Gunville needs a park or recreation ground
  - Needs to be wildlife corridors of green hedges and trees joining other green areas, to ensure that wildlife is not isolated.
  - Impact on air quality from increased traffic levels
  - Proposed buildings should be moved 20 metres to the west to improve the relationship with existing properties, reducing the sizeable open land alongside the open countryside, its necessity being questionable.
  - Loss of privacy
  - Upgrades are required for the provision of potable water, gas and electricity.
  - There is no record of approval being obtained from the SUDs approving body.
  - It should be proved that the proposed SUDS has worked elsewhere
  - Impact on archaeology
  - Development should be held until an impact assessment of the completed Ash Lane development can be undertaken.
  - Access should be provided from Forest Road
  - Fields represent a natural boundary for Newport
  - A 1988 application was refused
  - Who would maintain the common areas of landscaping?
  - Large influx of people would increase potential rate of crime
  - Would result in urban sprawl
  - Light pollution
  - Public consultation took place in 2014
  - Impact on character and appearance of the area
  - Questions over the structure, depth and construction of existing roads
  - No sequential test submitted; other sites for development are available
  - Application is not supported by an Environmental Impact Assessment
  - Recent application (P/00644/05) was refused on highway and sewerage grounds
  - Need for children's play area in Gunville
  - Impact on nature conservation
  - Introduction of domestic pets would impact on habitats

- Already a number of houses approved in the area.
- All properties should have two parking spaces
- All properties must have electric charging points.
- Consideration should be given to all properties having solar panels
- All properties should be affordable housing
- Loss of agricultural land.
- Proposed buffer not acceptable
- Site is clay/impact of flooding/surface water.

**5.12** 72 letters of objection have been received from local residents in respect of the full element, the content of which can be summarised as follows:

- Traffic generation would impact on existing and future residents and the wider highway network/junctions.
- Waverly roundabout would be over capacity, leading to unacceptable levels of congestion.
- 293 dwellings would be served off one access. This would exceed the council's recommended maximum of 250 dwellings.
- Within whose ownership would the buffer be in? It would become an area for fly-tipping if not owned.
- Development would destroy natural habitat for the re-introduced buzzard.
- Irreplaceable environmental damage.
- Insufficient parking.
- Who will benefit from the houses?
- Loss of habitat/ Impact on wildlife.
- Strain on social infrastructure (hospital, doctors, dentists, schools).
- Increased flooding from inadequate surface water drainage.
- Inadequate capacity for foul sewerage disposal.
- Road widths are too narrow with blind bends and parked cars
- Increases in traffic would delay emergency vehicle arrival times.
- Current parking on pavements causes poor access for pedestrians.
- Transport study is out of date and does not account for additional traffic associated to Home Bargains.
- Full application should clearly state what action is required to provide utilities.
- Existing roads are not suitable for construction vehicles.
- Proposed dwellings should be moved 20m west to improve relationship with existing dwellings.
- Impact on archaeology/heritage assets.
- Provision of water, gas and electricity.
- No records that SUDs have been approved by the SUDs approval body.
- No record of comments from the Environment Agency or Southern Water.
- Sceptical regarding the design of SUDs. It should be proved that attenuation and hydro-brake has been successful elsewhere in the UK.
- Existing pinch-point impacts on access.
- Believed land to be greenbelt.
- Loss of privacy.
- Over-development.

- Access should be from Forest Road.
- Compromise the quality of life of existing residents.
- Traffic pollution will be hazardous to health.
- Traffic passing existing properties would be harmful.
- Development adjacent to existing gardens could put children at risk.
- Park or recreation ground needed in Gunville.
- Wildlife corridors and green hedgerows need to join up.
- Impact on mental health from less green space.
- Impact assessment on Ash Lane should be completed first.
- Who will buy the houses/who are they for?
- Impact on tourism from building on green fields.
- This is a flood area.
- S106 provisions would not significantly reduce traffic.
- Additional bus capacity would not significantly reduce traffic.
- 1988 application was refused.
- Common land needs to be maintained by someone.
- Impact on privacy and tranquillity.
- Potential increase in crime rates.
- Would result in urban sprawl.
- Light pollution/Impact on dark skies.
- Should be supported by an independent ecology report.
- Lack of proper consultation.
- Inadequate transport statement.
- Employment related to the construction process is not a planning consideration.
- No need for these houses in Gunville.
- No sequential test has been undertaken on other developable sites.
- Affordable housing is not affordable.
- No Environmental Impact Assessment has been undertaken.
- Out of keeping with character and context of the village.
- Noise and pollution from cars.
- Increase in traffic would impact on children's safety.
- Pedestrian and cycle safety needs improving before any new houses are built.
- Impact from nitrates on Gunville stream.
- Significant impacts of parking restrictions on existing roads.
- Island Roads visit was done in the daytime and not the evening when all the residents are back with their cars.
- Accident data does not account for minor accidents.
- Impact on nature conservation
- Introduction of domestic pets would impact on habitats
- Already a number of houses approved in the area.
- All properties should have two parking spaces
- All properties must have electric charging points.
- Consideration should be given to all properties having solar panels
- All properties should be affordable housing
- Loss of agricultural land.

- Proposed buffer not acceptable
- Site is clay/impact of flooding/surface water.

**5.13** A number of comments have been received from an immediate neighbour confirming that they would support the application if a flood wall like that proposed to the rear of no 2 Arthur Moody Drive, is also provided to the rear of their property, as they get the same issues as number 2 Arthur Moody Drive and feel they warrant a flood wall as well. They also seek confirmation as to whether there are any plans to put up fences or wall to the boundaries of the properties joining the new proposed site as a lot are open and exposed with no privacy at all.

**5.14** Cycle Wight confirm that they neither support nor object to the application. They have outlined that the proposed development is located such that many trips could be made by bicycle if the conditions to do so are adequate. They confirm that the proposed layout appears to be reasonably permeable for people cycling, however raise a number of concerns regarding the detail of the proposed network.

- The upgrade to N151 is important as it allows a connection to Ash Lane in one direction and to the former railway line, in the other.
- The two east-west streets have clearly been designed to allow future expansion to the west, but currently bisect the walking/cycling route, with priority to the street. This leaves cyclists having to give way to the end of each cul-de-sac, and people walking and cycling having to change level. The route should be continuous and level across the end of these two streets and should remain so even in the event of development to the west.
- Provision should also be made for a link from the most southerly street to the former railway line towards the east side of the site, even if it cannot be delivered at this time.
- On road parking in the development must be restricted to ensure that the area is conducive to walking and cycling. A condition is requested, should the application be approved the sustainable transport provision is in place before building work begins to allow people to use active travel methods from the outset.

In respect of the off-site network they outline that there is a significant disconnect between the site and Newport town centre and major onward cycling connectivity. Gunville Road itself provides a key barrier and, once crossed, routes into Newport are inadequate. They suggest a number of measures are needed:

- The creation of a route from the site along the former rail line to Alvington Manor View.
- A safe crossing of Gunville Road
- A continuous high-quality route as far as Newport Quay, to connect with key services and other routes.

They acknowledge that, while it would be unreasonable for this development to fully fund this programme of improvements, a significant financial contribution should be sought to provide the cycling opportunities necessary to ensure this location is sustainable in transport terms.

**5.15** Cycle Wight submitted a further comment outlining again neither supporting nor objecting to the application but stating that they consider the current plans show a

shared-use route alongside one of the estate roads which is designed in a way that is likely to create conflicts between different users and risk at junctions and transitions between the shared use route and carriageway and does follow key principles of good design. Various comments are made about the detailed design of the on-site highway network and outline that the proposed West Wight cycle track is due to join footpath N151 to allow for a future strategic route to the West is vital, but it is not clear if, or how, how this would be achieved.

- 5.16** Campaign for the Protection of Rural England object to the application setting out that they neither support or object to the application but are concerned that it relates to a greenfield site and consider brownfield sites should be developed first. They note that Island Roads requested a secondary access at pre-application stage, that the archaeology service request an archaeological evaluation prior to determination and that no ecology report has been submitted. They confirm that they are unable to support the application without further information.
- 5.17** The Badger Trust Isle of Wight object to the application on the grounds that there must be a full ecology study completed and published for this application. The site is potentially of great importance to wildlife and they feel strongly that this information must be available to allow the council to make a proper decision on this application.
- 5.18** The Island Rivers Partnership have observed that the ecological report states that there are no watercourses within the site. However, it appears that the river has been straightened and almost touches the top left-hand corner of the site. The site plan appears to show development right up to the watercourse with no buffering. They have highlighted that they recently surveyed Gunville Stream for water vole, and one otter spraint was found suggesting that this area is a small part small part of the foraging excursions by an otter, whilst exploring the Medina Catchment. We are keen to protect the integrity of the watercourse and its tributaries and create buffers from development.
- 5.19** Bob Seely MP objects to the proposals to construct a combined total of 149 houses in this area for reasons that can be summarised as follows:
- Loss of arable land, while Newport has an abundance of brownfield land that could be used instead
  - Development would eliminate more natural green space and significantly disrupt a considerable number of wildlife habitats, resulting in damage to the landscape
  - There are existing issues with field run-off affecting properties in Arthur Moody Drive and Forest Hills during heavy rain. The development would exacerbate these issues for existing residents
  - Houses situated on the periphery of Carisbrooke, resulting in an increase in vehicular activity in the area. The provision of driveways next to these houses suggests the main mode of transport would be by motor car
  - Not reassured that the mix of housing would strike the correct balance in accordance with the needs of Islanders as the final mix of housing has not yet been agreed.
  - Only 35% is proposed as affordable housing, which is not acceptable.
  - Houses would inevitably put pressure on healthcare service and schools

- 5.20** Southern Vectis have commented on the application that they support the application subject to conditions to support sustainable transport namely:
- A contribution towards enhanced early morning and late-night services to enable better commuting between the site Newport/Yarmouth
  - A travel pack provided for each dwelling to include a travel voucher towards the purchase of a bus ticket to the equivalent of one 90-day freedom pass per dwelling (currently priced at £235, to be funded by the developer).
- 5.21** The Open Space Society have confirmed that they neither support or object but make comments in respect of the treatment of the footpath 151, highlighting the importance of its width, which should be no less than 3 metres and suitable maintenance regime. They confirm that they support the comments of Island Roads.
- 5.22** The Ramblers comments can be summarised as follows:
- the proposed upgrade N151 and on-site pavements may need to see a greater increase in width to ensure mixed use
  - wider improvements are needed including improved drainage, stiles and gates to account for the increased usage
  - adequate and clear signage and map boards should be provided
  - should be appropriate S106 contributions for maintenance and improvements of rights of way
  - all improvements should be done before any units are occupied
  - existing footpaths should remain open during the construction process

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

### Principle

- 6.1** The application seeks outline consent for the construction of 113 new dwellings and full permission of 36 new dwellings, resulting in a total under of 149 units.
- 6.2** The application site is located immediately adjacent to the settlement boundary for Newport, which would comply with policy in locational terms and is an indicator of the sustainability of the site in this regard. However, regardless of this and the fact that in policy terms this would make the site locational sustainable and acceptable for development, the policy position for housing set out within policies SP1 and SP2 should be taken in the context of the most recent housing needs assessment, Strategic Housing Land Availability Assessment (SHLAA) and the Council's Five-Year Land Supply Update 2018. The latter of these documents outlines at paragraph 7.18 that "the Isle of Wight Council considers that it cannot demonstrate a five-year land supply as at 1 April 2018."
- 6.3** Further to this, the Housing Delivery Test (published 19 January 2021) shows that 54% of the housing need (when using the Government's Standard Method calculation) has been delivered on the Isle of Wight over the three-year period to 31 March 2020.

**6.4** Paragraph 11 of the NPPF outlines that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking means:

“(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The importance of the above paragraph relates to the footnote attributed to ‘out-of-date’ associated with section (d) which states: “This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”

**6.5** The Council’s annual monitoring reports and the Housing Delivery Test demonstrate that delivery over the last three years has been in the region of 54% and we therefore fall within both categories. In light of this it is considered that it is not necessary for an applicant to demonstrate a need for housing development, as this element of policy SP1 is considered out of date in relation to residential development.

**6.6** In addition, the requirements of policy SP2 in terms of the number of houses to be delivered in specific areas of the Island is considered to be out of date, due to the advice contained within the NPPF regarding housing delivery. This policy is therefore not currently considered to be relevant to the determination of housing proposals.

**6.7** While policy SP1 is a strategic policy in terms of housing, it does give important locational guidance in terms of focussing housing in the most sustainable areas and settlements, the use of brownfield land and economic led regeneration. Thus, while currently no longer relevant in terms of local need, the overall approach advocated within the policy in terms of focussing development in the most sustainable locations is considered to be relevant in terms of the NPPF and its requirement to apply a presumption in favour of sustainable development. There are simply not considered to be sufficient brownfield sites available to accommodate the level of development required, to rely solely on these.

- 6.8** Taking this into account, the sustainability guidance contained within the NPPF and particularly paragraph 105 should be noted, which states that ‘Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.’ Thus, for larger developments, the Planning Authority expects connection to a range of transport modes and to limit car travel. Further details on this matter are set out in the highway section of this report.
- 6.9** A number of concerns have also been raised by third parties with regards to the ability of the area’s social infrastructure (doctors, St. Mary’s etc.) to accommodate the number of units. Prior to the Core Strategy being adopted a number of consultation processes took place with key stakeholders to establish that the recommended number of units required over the plan period could be accommodated. This is still considered to be relevant. Furthermore, not all of the dwellings would accommodate residents who are new to the area or the Island, because some would cater for local people and therefore these individuals would already access these services.
- 6.10** Comments also suggest that an Environmental Impact Assessment should have been undertaken. The application is not located within a designated area and is not considered to be of a scale to require an Environmental Statement.
- 6.11** Having due regard to the above both applications are considered to be acceptable in principle.

#### Impact on the character of the area

- 6.12** The application site is located within a largely residential area and therefore the proposed housing would appear in context with this character. The submitted details outline that the total number of units (149) would result in an on-site density of 23.28 dwellings per hectare (dph), which would compare to a cluster assessment of 102 properties immediately to the east off Forest Hills, Broadwood Lane and Alvington Manor View, where the density is approximately 39 dph. The proposed development is therefore not considered to result in an overdevelopment of the site and would compare comfortably within the character of surrounding residential development. It could be considered that the site could accommodate a greater number of units, to compare to the greater density of the surrounding area, however, officers consider, due to the surrounding density, the provision of some larger areas of open space and landscape buffers allows for the development to appear more transitional between the existing built form to the north, east and south and the open fields to the west.
- 6.13** The full element is supported by layout and elevational plans, which propose a combination of detached and semi-detached units following a linear and fairly regimented layout, running north-south, that would replicate the pattern of development to the east.
- 6.14** The proposed dwellings would all be two storeys in height and would be of a traditional design combining brick elevations (both red and buff in colour) under slate roofs. The elevations show design detailing would be incorporated including

dentil coursing, window headers and stone cills, to provide a high-quality design. It is acknowledged that there is a range of single and two storey properties within the surrounding area but in order to make best use of land the proposed scheme does not proposed any single storey units, which can be 'space hungry'.

- 6.15** The outline element, although not considering layout has been supported by an indicative layout plan, which follows the design principles of phase 1, although would include a greater mix of unit types with detached, semi-detached, terraces and maisonettes shown. Supporting information outlined that these later phases would also include a mix of 1, 2, 3 and 4 bedroom units.
- 6.16** The outline element would also include additional areas of open space as well as further planted buffers/landscaping. These together with the open space and landscaping proposed as part of phase 1 (the full element) would help integrate the new development into the existing area.
- 6.17** Having regard to the position of the site between approved developments and alongside existing built form, together with the surrounding topography and the boundary vegetation there would be limited views of the site from the north, south and west. When it is viewed it would be seen through the existing residential development and would therefore been seen as a continuation of it.
- 6.18** The site would be visible from the west, south west and north west from both public rights of way and the highway network. However, it would be seen within other built form and would therefore not appear prominent or at odds with the character of the area. The proposed layout of the entire site would not project beyond previous approved built form and would therefore nestle into the view.
- 6.19** The proposed development is therefore considered to sit comfortably within the context of the area and would not appear out of character or prominent from more distances views. As a result, the full and outline elements are considered by officers to have an acceptable level of impact on the character of the area and would therefore comply with policy DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Core Strategy.

#### Impact on neighbouring properties

- 6.20** The majority of phase 1 (the full element) would position proposed units alongside existing shared boundaries with properties fronting Forest Hills and Arthur Moody Drive. However, the layout places the proposed open space/dry ponds along much of this boundary, which would result in the proposed units being approximately 45 meters from the boundary of the numbers 2, 4, 6, 8, 10, 12,15 and 17 Arthur Moody Drive. This distance together with the proposed landscaping buffer on the shared boundary would ensure that there would be no unacceptable impacts to the amenities of these neighbouring properties.
- 6.21** The proposal would result in 11 units being positioned to the west of 37 – 40 Broadwood Lane (odds only) and 24 Forest Hills. The closest of these would be approximately 19 metres (side to rear) and c.28 meters (back to back), including a

minimum 5 metre landscape buffer. As above, these distances and intervening landscaping are considered to be acceptable to ensure that the proposed units would not have an unacceptable impact on the amenities of these neighbouring properties.

- 6.22** The indicative layout supporting the outline application illustrates that proposed units would be positioned to the rear of 12 – 36 Arthur Moody Drive, but again there would be sufficient space and intervening vegetation to ensure that there would not be any unacceptable overlooking or over-dominance of these properties. A condition requiring details of landscaping and boundary treatments would further ensure that there would be no unacceptable impact on the amenities of neighbouring properties generally.
- 6.23** The outline elements would also share boundaries with the developments under construction off Ash Lane and Alvington Manor View but would be separated by existing landscaping to ensure that they would not have any mutual impacts.
- 6.24** The access proposed as part of the full element would extend the existing cul-de-sac off Forest Hills. This would result in increased usage of the surrounding highway network and would change the character of the area to the frontage of the existing cul-de-sac. However, the level of potential traffic generation, although a significant uplift over the existing 8 units, which directly front this section of Forest Hills, it is not an unusual relationship between an access and the surrounding residential units or would see an increase to such an extent that it would be harmful.
- 6.25** The second access into the site, which would be provided as part of later phases, and forms part of the outline element of the application, would pass between two properties, where there is currently a strip of scrub land. As with the above, it is acknowledged that the access would result in a different impact on these neighbouring properties, but this is not considered to be of a level that would be harmful, in what is an already residential context.
- 6.26** Third parties have raised concerns that the application would result in increased in air pollution as a result of the proposed development. Environmental Health have considered the application and have raised no objection to the scheme in this regard and have confirmed that the Institute of Air Quality Management guidance document 'Land-Use Planning & Development Control: Planning For Air Quality' suggests an assessment should be considered where there is an increase in traffic as a result of a development by more than 500 vehicles per day. The increase of vehicles as a result of the proposed development would likely to be significantly less than that at around 300 vehicles per day, it is not therefore considered necessary to request an impact assessment. The current air quality in around the Broadwood Lane / Gunville Road is very good and significantly below the objective for traffic related pollutants as predicted by a recent air quality impact assessment for the Island. Environmental Health therefore conclude that the proposed development would have only a negligible impact on currently air quality levels for that area.

- 6.27** Comments also raised concerns with regards to noise and light pollution. However, having regard to the location of the site within a primarily residential area and the nature of the proposed development as residential use the scheme would not result in unacceptable impacts in this regard. It is acknowledged that the construction process would cause an element of disruption, this would be relatively short term and is generally an accepted impact on any development. This impact can be minimised with appropriate conditions to control working hours and secure suitable construction mitigation measures
- 6.28** Third party comments have raised concerns that the proposed development would result in an increase in crime. However, the addition of residential units in a residential area is not considered to be unacceptable in principle or a use which would specifically lead to an increase in crime.
- 6.29** Having regard to the proposed layout and associated landscaping officers are satisfied that the proposed development would not have an unacceptable impact on the amenities of neighbouring properties and would therefore comply with policy DM2 (Design Quality for New Development) of the Core Strategy.

#### Highway considerations

- 6.30** The full element of the scheme seeks consent for an access off Forest Hills. Island Roads have considered this phase as a stand-alone development of 36 dwellings, with separate comments being provided for the full and outline. As different comments and conclusions are formed in respect of the two elements of the scheme the below sections are separated into full and outline.

#### *Full element (19/01426/FUL)*

- 6.31** Access to the site is detailed to be formed off the western end of Forest Hills (an unclassified public highway governed by a 30mph speed limit). The proposal provides for a 5.5m wide carriageway running east to west with 2.0m wide footways abutting either side (extension of Forest Hills). Two access roads (5.0m in width) are detailed to form junctions off this continuation of Forest Hills, one running to the north (being shared surface in nature) and one to the south. The road to the south provides for a 5.0m wide carriageway and a 2.0m wide footway on its western side and a raised plateau resulting in road narrowing at the mid-point.
- 6.32** Island Roads originally raised concern in respect to the ability of service vehicles to access and circulate the roads on the northern side of the development if this "Phase 1" development was built in isolation. It is now accepted that the layout as detailed on drawing no. 18297/01 Rev A along with the provision of the temporary turning head detailed within the curtilage of plot 79 would address this situation. However, as previously identified as a result of a swept path analysis it is evident that if on-street parking occurred within either of the northern roads, service vehicles could be impeded and if approved there may be a need for on-street parking restrictions to be introduced at a later date. However, it is also accepted that the proposed private vehicle access arrangements should prevent this from occurring subject to residents not parking across their driveways. It is therefore

considered by officers that this matter is likely to be self-controlling.

- 6.33** Concern was also raised in respect to the ability of service vehicles to turn within the proposed access road on the southern side of the site. The applicant now accepts that subject to the junction adjacent to plot 65 (forming part of the wider development) being included within this proposal then the issues of service vehicle turning would be addressed. Although this would be beyond the redline boundary of the full element, it would be on land within the control of the applicant and could therefore be conditioned.
- 6.34** Island Roads also initially raised the need for on-street parking restrictions to protect the proposed onsite junctions. However, it is accepted that all proposed dwellings are to be provided with onsite parking, reflective of the Local Authority parking standards and as a result there should not typically be a need for the introduction of on-street parking restrictions to address a perceived issue within the application site. However, site inspection has shown that on-street parking already occurs within the adopted section of Forest Hills through to its junction with Arthur Moody Drive. When considering the potential uplift in daily traffic movements that maybe attributable to the development on this part of the highway network, continual parking in this area would impact on private and service vehicle access to and from the site and have the potential to compromise pedestrian safety. It is therefore recommended that should the application be recommended for approval, the applicant be obligated via planning condition to obtain a TRO to seek the introduction of double yellow lines within Forest Hills about the junction with Arthur Moody Drive and through to the site. This has been conditioned accordingly.
- 6.35** The section of Forest Hills onto which the site is shown to connect forms a priority junction with Arthur Moody Drive. On assessment this junction complies with geometric design standards and there are existing double yellow lines within Arthur Moody Drive (directly opposite the junction) that offer protection to this part of the highway network. Likewise, the road network (Broadwood Lane) that provides vehicular access through to Gunville Road is deemed to be suitable for the anticipated level of daily traffic that maybe attributable to the 36 proposed dwellings.
- 6.36** On review of the onsite pedestrian provision, the footway links and uncontrolled pedestrian crossings are deemed to maximise permeability for all users. However on evaluation of the wider highway network and mindful of the increase in pedestrian footfall that maybe generated by the proposal Island Roads requests that if the application is approved by the LPA the developer be obligated to provide the following off site uncontrolled pedestrian crossing points improvements on the local highway network between the site and the Broadwood Lane / Gunville Road junction, specifically:
- across the turning head on the southern side of Forest Hills
  - at the Forest Hills Arthur Moody Drive junction
  - across the junction serving 25 – 47 Broadwood Lane
  - at the junction of Broadwood Lane and Forest Hills adjacent to the northern boundary of No. 1 Forest Hills.
  - at the junction of Broadwood Lane and Park Close through the existing

grass verge to avoid conflict with existing vehicle accesses.

- 6.37** While not appearing to give a sustainable standalone highway reason for refusal Island Roads raise questions as to why provision has not been made within the site layout for a shared footway/cycleway (minimum 3.0m in width) running east to west linking Arthur Moody Drive / Forest Hills and onto the proposed public footpath N151 upgrade. It is accepted that as detailed under Mayer Brown Note 7 cyclists would be passing through a residential area that does not currently provide for a shared-use footway cycleway. However, Island Roads do not see this as justification to omit such a feature. Officers have given due regard to these comments and those of Cycle Wight, however, the shared surface nature of the internal road network is an accepted way of providing spaces for all users, which can give better priority to pedestrians and cyclists over cars. The proposed layout is therefore considered to be acceptable. It is also noted that Island Roads confirm that this would not be a sustainable reason for refusal.
- 6.38** The proposed onsite highway elements of the site are now deemed to comply with design standards and local guidance for a residential environment with a 30mph design speed.
- 6.39** This 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 1, a development of this nature should typically provide onsite vehicle parking at a ratio of 1 space per 1 / 2-bedroom dwelling, 2 spaces per 3 / 4-bedroom dwelling and 3 spaces per 5+ bedroom dwelling along with cycle spaces and bin storage. The proposal would provide for an adequate level of onsite parking per dwelling and each dwelling is provided with space for the storage of refuse clear of the highway and spaces to store a bike. It is therefore deemed to be compliant with parking guidance.
- 6.40** A Transport Assessment dated July 2019 was submitted as part of this application which not only allows for the traffic movements that maybe attributable to this application but also those associated with application 19/01415/OUT (the wider site to which this application connects) and application 19/01544/OUT (Land to the rear of 162 and 182 Gunville Road).
- 6.41** When evaluating planning application 19/01415/OUT concern was raised by Island Roads in respect to the potential impact of the development traffic (113 dwellings) on the operation of the Broadwood Lane / Gunville Road priority junction, and the Waverly Roundabout to the south. However, when considering the level of traffic movements that would be attributable to this application in isolation (36 dwellings resulting in 13 arrivals and 7 departures in the PM peak hour) it is accepted that the proposal on its own would not bring about a significant impact on these junctions so as to provide a sustainable standalone highway reason for refusal. The traffic generation associated with this proposal is therefore not deemed to have a negative impact on the capacity of the highway/project network.
- 6.42** On review of accident data, made available to Island Roads there have been no recorded incidents in the last 3 years within the local vicinity of this site that are

relevant to the proposal. It is acknowledged that Section 3.16 - 3.17 of the Transport Assessment has evaluated the wider highway network which has highlighted a total of 10 collisions. However, when considering the scale of this development (36 dwellings) and the nature of the incidents Island Roads agrees with the statement within the Transport Assessment that “...most of the accidents were isolated single occurrences at different locations. As such, it is difficult to identify any deficiencies in the highway network that might be aggravated by the proposed development ...”. It is however recommended by Island Roads that should the LPA seek to approve this application the applicant be obligated to bring forward pedestrian improvements between the site and Gunville Road to maximise connectivity, accessibility and pedestrian safety. Conditions have been recommended accordingly.

- 6.43** In respect of the potential impact from the construction process on the highway network Island Roads consider that if approved it is essential that the applicant be obligated to submitted for approval by the Local Planning Authority a ‘Construction Management Plan’, via of pre-commencement condition that covers the issues detailed below and be adhered to throughout the build process;
- The provision of a wheel-wash and mechanical brush to ensure that the highway network remains clear from any site debris
  - Onsite parking and turning facilities for operative and construction vehicles. These will need to be phased to accommodate the building of the dwellings
  - Onsite construction vehicle loading, unloading, delivery and turning areas and associated haul roads to ensure that all vehicles may enter and exit the public highway in forward gear
  - The provision of temporary parking restrictions within Arthur Moody Drive, Forest Hills and Broadwood Lane to maximise highway safety and minimise the risk of vehicle overrun of the existing footway network.

- 6.44** Having regard to the above and appropriate conditions the full element of the scheme is considered to be acceptable in highway terms.

*Outline element (19/01415/OUT)*

- 6.45** The outline and wider scheme proposes two points of vehicular access onto the existing adopted highway network. The southern of these two accesses is shown to be formed on land between No’s. 10 and 12 Arthur Moody Drive comprising of a conventional priority junction with a 2.0m wide footway abutting its northern side (including for an uncontrolled pedestrian crossing point on Arthur Moody Drive) and a grass verge on the southern side over the first 16.0m and then a 2.0m wide footway beyond. At this change point the layout also includes for a raised plateau and an uncontrolled pedestrian crossing facility.
- 6.46** The northern vehicular access provides for a continuation of the existing Forest Hills highway layout, giving rise to a 5.5m wide carriageway and a 2.0m wide footway abutting its southern side and a 3.0m wide shared use path on its northern side (both of which are detailed to run through to the western extents of the site and link into public right of way N151 which itself is detailed to be upgraded to shared pedestrian / cycle use standard). This access point is also shown to serve the element of the site designated as Phase 1 and covered by the

full element. Ultimately both of these points of access channel all site based motorised vehicular traffic onto Broadwood Lane and through its junction with Gunville Road (standard priority junction).

- 6.47** Within the site the highway layout provides for principal carriageway widths of 5.5m with abutting 2.0m wide footways, 3.0m wide shared use paths, minor road widths of 5.0m, (some of which are shared surface and include for localised narrowing) and associated vehicle turning areas. The layout also provides for an internal road link between the proposed Arthur Moody Drive and Forest Hills access points with a pinch point at its midpoint.
- 6.48** Along the western site boundary provision has been made for a 3.0m wide shared surface footway/cycleway accommodating public footpath N151 and linking into the site currently being developed off Ash Lane under consent P/00395/15 (located to the north, which includes for the upgrading of public footpath N65 and the element of N151 that falls within that site to footway / cycleway). This route is complemented by onsite shared use pathways detailed to provide linkage through to Forest Hills and the extension of Alvington Manor View that abuts the southern site boundary in the southwestern corner and is currently being built out in association with application P/01604/13. This route would form part of the proposed West Wight cycle track.
- 6.49** Island Roads have confirmed that, subject to the imposition of conditions in relation to construction and junction visibility splays, the onsite road layout is deemed to comply with highway design standards providing a suitable residential highway network following the principals of Manual for Streets and Manual for Streets 2.
- 6.50** The highway network onto which both of the proposed site access points are shown to form junctions is governed by a 30mph speed limit and as a result when considering the scale and nature of the development these junctions should provide for minimum visibility splays of  $X = 2.4m$  by  $Y = 43.0m$ .
- 6.51** As detailed above the access from Forest Hills takes the form of an extension of the existing road network, and on review the existing associated priority junction complies with visibility standards. Likewise, private and service vehicles can pass through the junction to enter and exit the site, albeit existing on-street parking practices typically restrict use down to single carriageway beyond the junction through to the turning head.
- 6.52** When considering the potential uplift in daily traffic movements that may be attributable to the development on this part of the highway network (the adopted section of Forest Hills through to its junction with Arthur Moody Drive), continual parking in this area would impact on private and service vehicle access to and from the site, and also have the potential to compromise pedestrian safety. It is therefore recommended that should the application be recommended for approval a Traffic Regulation Order is achieved prior to commencement of works to introduce double yellow lines within Forest Hills about the junction with Arthur Moody Drive and through to the site access (the exact extent would be determined as part of any formal TRO application).

- 6.53** Island Roads originally raised concerns with regards to the possibly of obstructions within the visibility splays of the access, as the splays would cross third party land. However, following an extensive history search officers were able to confirm that when properties in Arthur Moody Drive were approved an 'open plan' condition was placed on the permission, protecting the open spaces at the front of these properties. In light of this Island Roads removed their concerns relating to this element of the proposed development.
- 6.54** Swept path analysis has highlighted that for service vehicles to enter and exit the site through the southern site access, as a minimum there would be a need to introduce on-street parking restrictions within Arthur Moody Drive on both sides of the road and on both approaches to the proposed junction and within the proposed onsite access road from the junction with Arthur Moody Drive through to and covering the proposed raised plateau. Concern was previously raised by Island Roads that even with such restrictions in place the arrangement would pose a risk of service overrun of the adjacent footways particularly when exiting the site and turning to the north (see drawing no. 18297/ATR02). However, it is now acknowledged by Island Roads that service vehicles should not dominate the layout of a residential junction, and that on further evaluation safe service vehicle manoeuvres could be achieved. However, should the required TRO's not be secured (these would bring about a loss of on-street parking within Arthur Moody Drive) service vehicles would not be able to safely negotiate this junction. Although officers acknowledge that any double yellow lines would result in a loss of on road parking, this would result in a general highway gain.
- 6.55** While it is accepted that over and above the proposed southern junction the onsite footway and cycle links, uncontrolled pedestrian crossings and public rights of way improvements maximise permeability for all users and comply with design standards, concern is raised in respect to onward pedestrian connectivity through Broadwood Lane and onto Gunville Road. When considering the increase in pedestrian footfall that maybe generated by the proposal Island Roads request that, if the application is approved the developer be obligated to bring forward, prior to occupation, the following offsite uncontrolled pedestrian crossing points to improve pedestrian accessibility on the local highway network;
- the junction serving 7 – 33 Odds Arthur Moody Drive
  - across the turning head on the southern side of Forest Hills
  - at the Forest Hills Arthur Moody Drive junction
  - across the junction serving 25 – 47 Broadwood Lane
  - at the junction of Broadwood Lane and Forest Hills adjacent to the northern boundary of No. 1 Forest Hills.
  - at the junction of Broadwood Lane and Park Close with associated footways being formed through the existing grass verge to avoid conflict with existing vehicle accesses.
- 6.56** Subject to the implementation of the offsite pedestrian improvements as detailed earlier in this report, Island Roads have confirmed that they are satisfied that suitable pedestrian connectivity and safety measures can be provided. Likewise

subject to the support of the Local Chief Fire Officer, when considering the existing on-street parking restrictions, practices, vehicle access spacing providing passing areas and the achievable level of forward visibility, which would need to be protected by on-street parking restriction should the layout as proposed by accepted and the need to protect Forest Hills by on-street parking restrictions, private and service vehicles would be able to negotiate Broadwood Lane and Arthur Moody Drive when accessing / egressing the site.

- 6.57** The Broadwood Lane / Gunville Road junction takes the form of a conventional priority junction with the width of the east bound lane (exiting vehicles) over its first 10.0m enabling two private motor vehicles to wait side by side while inbound vehicles pass. It provides for an uncontrolled pedestrian crossing facility and is protected by double yellow lines to a point circa 16.5m back from the junction with Gunville Road.
- 6.58** Gunville Road at this point has a width of circa 7.0m, and to the south of the junction is a priority flow system with an associated buildout giving priority to the north bound traffic. There are on-street parking restrictions on Gunville Road about and on the approaches to the junction. However, on-street parking is permitted from a point circa 7.0m to the north of the junction on the eastern side of the road, albeit the presence of vehicle accesses and associated Access Protection Bars limit the opportunity for parking immediately beyond the existing double yellow lines. However, Island Roads have commented that, when undertaking site visits, it would appear that the associated property owners tend to park across their own vehicle access. At the same time, it is acknowledged that the width of Gunville Road enables private motor vehicles to be parked and two private motor vehicles to pass. As set out within Manual for Street / Manual for Street 2 when allowing a 2.0m parking area a width of 4.80m – 5.0m will enable private motor vehicles to pass.
- 6.59** This part of the highway network is governed by a 30mph speed limit and on assessment has determined that the current junction arrangement complies with geometric highway residential design standards.
- 6.60** This 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 1, a development of this nature should typically provide onsite vehicle parking at a ratio of 1 space per 1 / 2-bedroom dwelling, 2 spaces per 3 / 4-bedroom dwelling and 3 spaces per 5+ bedroom dwelling along with cycle spaces and bin storage. Island Roads have confirmed that they are satisfied that there is adequate space within the confines of the site to provide a level of parking attributable to each dwelling reflective of the parking guidelines. Therefore, should this application be approved Island Roads is satisfied that the aspect could be covered by condition.
- 6.61** This proposal is accompanied by a Transport Assessment with the document highlighting the evaluation that has been undertaken in respect to the potential impact of the proposed development on the local highway network. At the request of Island Roads this assessment has not only covered the Broadwood Lane / Gunville Road junction but has also considered the impact on the operation of the

Forest Road / Gunville Rd traffic signals and the Carisbrooke mini roundabout "Waverley junction". It has also evaluated the suitability of the existing Broadwood Lane / Gunville Road junction and that fact that this provides the only means of motorised vehicle access to and from the site to the wider highway network.

- 6.62** As detailed within the Transport Assessment Island Roads are also unaware of there being any set limit in terms of a maximum number of properties that may be served by a single network junction. However, the access route must still be safe for all users and fit for purpose. As identified earlier in this report while it is acknowledged that on-street parking occurs along the majority of the length of Broadwood Lane, existing on-street parking restrictions, junctions and vehicle access points provide for areas in which vehicles may pass with associated forward visibility reflective of the road geometry. However, it is considered to be essential that if this application is approved additional parking restrictions be imposed within Forest Hills and about the junction proposed to be formed onto Arthur Moody Moddy.
- 6.63** The pedestrian improvements as recommended by Island Roads along with the onsite footway/ cycle works and public right of ways improvements would maximise pedestrian safety. Therefore subject to the Local Chief Fire Officer being satisfied that the level of development served by a single point of vehicle access to the wider highway network would not pose a safety issue in terms of access and response time then Island Roads do not consider this factor would provide a sustainable highway reason for refusal.
- 6.64** Section 5.0 of the submitted Transport Assessment considers the potential impact the development based traffic flows may have at peak times and in particular the PM peak hour of 16:30 – 17:30. Based on the data provided the 113 dwellings have the potential to bring about an additional 42 arrivals and 22 departures within Broadwood Lane during the PM peak hour. This would be on top of the existing 64 arrivals and 28 departures and the 13 arrivals and 7 departures that would be attributable to application 19/01426/FUL should it be approved. This would result in a potential total of 119 arrivals and 57 departures during the PM peak hour.
- 6.65** While it is accepted that the junction modelling works that have been undertaken show that the junction would operate within theoretical capacity, concern is still raised that the priority flow system on Gunville Road to the south of the junction would have a negative impact in respect to allowing vehicles to exit Broadwood Lane so that those entering may continue unimpeded. Currently the existing double yellow lines within Broadwood Lane only extend back circa 16.5m from Gunville Road junction. Beyond this point there is potential for a vehicle to park on the southern side of Broadwood Lane (in advance of the entrance to the car park serving the church hall) and obstruct inbound traffic should more than two vehicles be queuing and waiting to exit onto Gunville Road. It is therefore recommended that should the application be approved the applicant be obligated to secure a TRO to extend the double yellow lines and remove this bay prior to occupation of the dwellings proposed. The removal of this bay along with the presence of vehicle accesses beyond would then significantly increase the queuing capacity within Broadwood Lane and mitigate any queuing back onto

Gunville Road. Although this would result in a loss of on road parking, having regard to the level of concerns that have been raised in respect of the safety of the existing junction, these works could be considered as a highway gain.

- 6.66** However, when looking at the other wider network junctions the Transport Assessment identifies that the development would have a negative impact on the 'Waverley mini-roundabout junction' to the north of the site. As highlighted within the assessment it is accepted that the traffic figures show that even without this development proposal, by the year 2025 this junction would be exceeding capacity in the PM peak on the High Street approach with queues of around 10 vehicles. The approval of this development would merely further impact on the operation of this junction resulting in additional queuing down through the High Street. It is accepted that due to the constraints proposed by the limit of adopted highway at this point and the potential impact on the Conservation Area there is little if anything that may be done to address this issue. However, Island Roads consider that these constraints are not justifiable reasons to ignore the fact that if approved this development would further impact on capacity and in turn highway safety. It is accepted that residents would have the option to use the Forest Road signalised junction however travel patterns show this rerouting to be unlikely.
- 6.67** Officers have carefully considered these comments from Island Roads, the limits for improvements associated with the existing roundabout, together with the fact that anyone travelling west or north would have the option to use the Forest Road junction, it is considered the the limited nature of the impact, being an increase in queue length at the PM peak hour only, on balance the proposal would be acceptable.
- 6.68** The same accident data relates to this element of the application as the outline and therefore no concerns are raised by Island Roads in this regard, but request that, if approved the applicant be obligated to bring forward pedestrian improvements between the site and Gunville Road to maximise connectivity, accessibility and pedestrian safety.
- 6.69** As with the comments associated with the full element a construction management plan is recommended, to ensure that the impact of the construction process on the highway network is minimised.
- 6.70** Island Roads have stated that should the LPA seek to approve this application and obligate the applicant to bring forward the offsite improvements as recommended by them the applicant will be required to;
- Apply for licence in association with Section 171 of the Highways Act 1980 from the Local Highway Authority to provide the proposed tie-in between the onsite access road and footways and Forest Hills.
  - Enter into a Section 278 Agreement with the Isle of Wight Council Highways Authority in order to bring forward the required offsite footway improvements. Please note that as part of this agreement the applicant will be liable to make payment of a commuted sum to cover the ongoing maintenance costs associated with the changes made to the existing public highway assets.

- Submit application to Island Roads Street Works Team in order to gain permission to work on the highway network. Traffic control methods will be identified as a result of this process.
- Make application to Island Roads, St Christopher House, 42 Daish Way, Newport, Isle of Wight, PO30 5XJ, in accordance with the Town Improvement Clause Act 1987 Sections 64 & 65 and the Public Health Act 1925 Section 17 before addressing and erecting a property name / number or street name in connection with any planning approval.
- Make application to the Local Highway Authority for Traffic Regulation Orders in association with the on-street parking restrictions as deemed to be required as part of this application (parking restrictions within Forest Hills) and Arthur Moody Drive and cover all associated costs.

In addition to the above should the applicant wish for the highways elements of the site to become part of the adopted highway network; they would be required to enter into a Section 38 Agreement with the Local Highways Authority. As part of this agreement the applicant would be liable to make payment of a commuted sum to cover the ongoing maintenance costs associated with the adoption of the associated highway assets. These applications would all fall outside of the planning process.

- 6.71** Having regard to the comments from Island Roads, officers acknowledge that the outline element would result in additional queuing to the Carisbrooke High Street arm of the Wavery roundabout at the PM peak hour, but consider on balance that the provision of much needed housing would weigh in favour of the application and outweigh this impact.
- 6.72** It is noted by officers the Southern Vectis have required contribution in relation to the proposed development. However, this is the only residential development on the Island that officers are aware of that Southern Vectis have requested such contributions and officers are concerned that this would be an entirely inconsistent approach. Although this may encourage residents to use the bus service, any use would in itself make an increase in service more sustainable. Officers therefore consider it would be more appropriate for the developer and service operator to discuss any incentives for purchases, but not to make this a requirement of the permission.
- 6.73** Having regard to the above and noting the comments from Island Roads officer condition that, with appropriate conditions the proposed development would on balance be acceptable in highway terms and would comply with policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Core Strategy.

#### Ecology and Trees

- 6.74** A preliminary ecological appraisal identified the presence of reptiles and amphibians, dormice and bats on or around the site. Reptiles were identified within the northern boundary and some limited activity along the southern side of the central hedgerow. A potential dormice nest was identified within the boundary hedgerow in the west of the site and although the hedgerow bounding the site to

the north could be considered suitable habitat for dormice no evidence was found in the survey. Finally, some evidence of bat activity was recorded during the 2015 and 2020 surveys, which considered that the majority of the activity is restricted to commuting and foraging corridors along the western boundary of the site.

- 6.75** The Council's Ecology Officer has considered the application and originally raised concerns with regards to the submitted ecology information, which was considered to be out of date. Following these comments further survey work was undertaken and an Ecological Impact Assessment (Eagle Eye, December 2020) has been submitted. Potential for disturbance to a range of protected species is identified and habitat loss would require mitigation. In particular habitat supporting dormouse, bat, reptiles and amphibians require protection. The report identifies that landscape buffers and retention of ecological features are designed to ensure impacts are minimised. It is considered that these measures can be secured by condition to include the following requirements:
- Submission of a Construction Environment Management Plan that provides details to secure measures outlined within the impact assessment.
  - Vegetation removal to be overseen by a suitably competent and qualified ecologist. Fingertip searches and inspections may be necessary at certain times of year.
  - Sensitive lighting strategy, with consideration to nocturnal species and impacts of lighting on retained habitats.
  - Landscaping and planting plans, including measures to enhance attenuation ponds for wildlife.
- 6.76** Third parties have raised concerns that the application would result in an increase in nitrates into Gunville Stream. However, nitrates are generally associated with foul drainage and natural infiltration of agricultural land. In this instance this foul drainage would be accommodated into the existing Southern Water adopted system, which discharges to Sandown Waste Water Treatment Plant, so would not impact on the Solent or the Gunville Stream. The proposed drainage scheme would potentially result in some surface water discharging into the stream, but this would be no greater than current levels. Furthermore, some of the surface water would discharge into the Southern Water surface water system, which would therefore reduce that which is currently flowing naturally into the stream.
- 6.77** The application has been supported by an arboricultural report, which outlines that some minor tree work is recommended, that are regarded as being of sound arboricultural practice. All trees and boundary scrub/hedgerows would be retained within the scheme except for one small birch tree due to access requirements (T3). This tree is not considered significant in terms of amenity value and this loss could be mitigated by new landscaping.
- 6.78** The Council's Tree Officer has examined the application and provided comments in respect of the full element of the scheme, which have confirmed that the trees of public amenity are located around the perimeter of the two fields this development is to be located in. From the maps provided it is noted that the proposed buildings are all to be positioned at a sufficient distance from the trees of high amenity. It is also noted that the houses are located at an adequate distance from the trees to ensure that the shade caused by the trees should not

have an unreasonable impact on the amenity spaces or properties.

- 6.79** Whilst impact to trees should be limited by the development of the area there is a possibility that the construction process can cause damage to the trees and as such it is recommended that an arboreal method statement condition should be applied, if approved. Furthermore, whilst the landscaping is sufficient to mitigate the loss of trees to facilitate the access the information does not ensure the establishment or size of plants to be planted as such information such as tree sizes or a planting programme – 5-year establishment plan etc is provided. This could be however be secured through a landscaping condition.
- 6.80** The application is therefore not considered to have any acceptable impacts on ecology or trees and would comply with policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Core Strategy.

#### Archaeology

- 6.81** The Council's Archaeology Officer raised concerns in respect of the original application, due to the absence of a detailed archaeological assessment. Following this comment a geophysical survey and archaeological evaluation report have been submitted.
- 6.82** The geophysical survey identified a number of anomalies within both the outline and full development site boundaries). Results included anomalies interpreted as archaeological features comprising a number of ditches forming an enclosure. Within the enclosure, increased magnetic response and weaker defined anomalies comprised possible pits and a ring ditch. Other anomalies interpreted as possible archaeology comprising linear ditches and other trends were also identified to the west, south west and east and south east of the possible enclosure. Together these were interpreted as possible fragments of earlier field systems. Other uncertain anomalies and trends were interpreted as of unknown origin, geological, agricultural or drainage.
- 6.83** The trial trench evaluation targeted geophysics anomalies and features and blank areas identified by the geophysical survey which fall within the development area proposed under 19/01426/FUL (therefore not the area within 19/01415/OUT, agreed in advance due to the outline nature of this part of the site). Field walking was also undertaken across both application sites and results are presented in the evaluation report. The evaluation comprised 12 trenches. The results show that two linear ditches were found, and these have been dated by the pottery in their fills as late Iron Age/Early Romano British. On the basis of the geophysics they have been interpreted as two sides of a late Iron Age/Early Romano British enclosure. Some of the other geophysics anomalies interpreted as 'possible archaeology' could not be identified in the evaluation trenches. The possible ring ditch identified from the geophysical survey and interpreted as evidence of an Iron Age round house in the evaluation report has not yet been evaluated. In view of the result of the evaluation, should the application be successful the Archaeology Officer recommends conditions, that a programme of archaeological work is carried out prior to and/or during groundworks, the details of which would depend

on the impact of the development on the archaeologically sensitive area of the site. Archaeological features identified by the evaluation would need to be plotted against the development plans (including details for drainage, services and landscaping) to determine exactly what the impacts are. The methodology for excavation and recording would be agreed in the Written Scheme of Investigation.

- 6.84** It is therefore considered that, subject to conditions, the proposed development would not have an unacceptable impact on features of archaeological features and comply with policy DM11 (Historic and Built Environment) of the Core Strategy.

#### Drainage and flood risk

- 6.85** A number of concerns have been raised with regard to potential for increased flooding as a result of the development. Some works have already been undertaken on site, at the boundary with neighbouring properties facing Arthur Moody Drive, by way of a ditch, to assist with historical flooding. This work appears to have had a positive result.

- 6.86** The drainage engineer has commented on the submitted details outlining that their engineer was able to devise his proposed drainage scheme to take account of the local problems, which also included flooding to the rear garden of Nos 2 Arthur Moody Drive. In the meantime, the landowner and tenant farmer were able to install a temporary cut-off ditch to divert the ground water run-off from the fields to the existing ditch system on the site. It is our understand that this temporary measure has been thus far successful.

- 6.87** The application proposed to incorporate ponds within the site layout, which would hold surface water before discharging it either into the stream or the Southern Water surface water system. Southern Water have confirmed that there would be sufficient capacity in the system to accommodate both foul and surface water from the proposed development site.

- 6.88** The application includes for a flood protection wall to the rear of properties in Arthur Moody Drive. The extent of this wall has not been finalised, but it is considered that this could suitably be controlled by condition, as part of a detailed drainage design.

- 6.89** The principles behind the drainage scheme are considered to be acceptable, as they have regard to the limited natural infiltration due to ground conditions. Therefore, subject to conditions to agree the detailed design of the system and the flow rates the scheme is considered to be acceptable in this regard and would comply with policy DM14 (Flood Risk) of the Core Strategy.

#### Other matters

- 6.90** Concerns have been raised that the application would result in an impact on health and wellbeing, due to the loss of green space. However, the current land, although visually available to residents who live adjacent to the site, it is not visible over a wider area or accessible to the local community for recreation etc.

The scheme proposes a number of areas of open space, which would provide recreation to local residents, as well as a link to the proposed West Wight cycle route, which would provide improved access to the wider countryside.

- 6.91** Third parties have raised concerns over the loss of agricultural land and therefore in turn land available for the growing of local produce. Guidance states that policies should aim to protect the best and most versatile (BMV) agricultural land from significant, inappropriate or unsustainable development proposals. Natural England must be consulted on applications likely to cause the loss (or likely cumulative loss) of 20ha or more of BMV land. Land grading is based on soil quality and the ability of the land to produce high crops yields. The site is to classified as Grade 3 and considered by the Natural England regional map to have low likelihood of BMV. Having regard for the classified of the land there is no objection to its loss.

## **7 Conclusion**

- 7.1** The proposed development would provide much need housing within an area of land with existing residential development on three sides, infilling an existing 'gap' between recently approved developments, in a high sustainable location. This positioning would minimise the impact on the character of the area.
- 7.2** The wider scheme would have some impacts on the wider highway network, notably the Waverly Roundabout, but having regard to the nature of the impact, which would relate to queue lengths, is not considered to outweigh the benefits associated with the proposed development.
- 7.3** Having due regard to the requirements of paragraph 11 of the NPPF, officers consider, on balance, that the proposed development would not have any unacceptable impact on the amenities of neighbouring properties, ecology, trees, archaeology or result in additional flooding and would deliver both market and affordable housing, to contribute to the current need.

## **8 Recommendation**

For the outline planning application (19/01415/OUT):

- 8.1** Conditional permission subject to a Section 106 Agreement to secure:
- Affordable Housing (35%)
  - Mitigation payments to the Solent Protection Area, in accordance with the Bird Aware Strategy
  - Provision of the link to the West Wight cycle track
  - Sustainable transport contribution of £38,000

For the full planning application (19/01426/FUL):

- 8.2** Conditional permission subject to a Section 106 Agreement to secure:
- Affordable Housing (35%)
  - Mitigation payments to the Solent Protection Area, in accordance with the Bird Aware Strategy

- Provision of the link to the West Wight cycle track
- Sustainable transport contribution of £12,000

## 9 **Statement of Proactive Working**

### 9.1 ARTICLE 31 - WORKING WITH THE APPLICANT

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

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

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

### **Conditions/Reasons**

FULL ELEMENT (19/01426/FUL):

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 carried out in complete accordance with the details shown on the submitted plans, numbered below:

14:1969:107H  
 18297/02 Rev. D  
 14:1969:100A  
 14:1969:104  
 14:1969:109  
 14:1969:110  
 14:1969:111  
 14:1969:112  
 14:1969:113  
 14:1969:114  
 14:1969:115A  
 14:1969:116A  
 14:1969:117A

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

3. No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of the positions, design, materials and type of boundary treatment to be erected. The boundary treatments 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.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping. 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 plants shall be native species. 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 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.

5. No development shall take place until a scheme for the drainage and disposal of surface and foul water from the development hereby permitted, including details of the flood protection wall, has been submitted to and approved in writing by the Local Planning Authority. The details shall confirm the Waste Water Treatment Works (WWTW) that will treat drainage from the development. Should the development be served by a WWTW other than the Southern Water facility at Sandown and discharge drainage into the Solent, details of a nutrient budget to prevent harmful impacts on the integrity of the Solent and Southampton Water Special Protection Area (SPA) shall be provided. 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 protect ground water and watercourses from pollution, to prevent harmful impacts on the Solent and

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

6. No development shall take place until a Management Plan including the management responsibilities and maintenance schedules in respect the areas of open space and the proposed wildlife corridor and wet grassland habitat has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to thereafter.

**Reason:** To ensure that areas of open space and wildlife habitat are maintained in a suitable manner and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

7. 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.

8. No dwelling shall be occupied until the parts of the service roads and associated footway links to the wider highway network which provide access to it and including for attributable service vehicle turning heads have been constructed surfaced and drained in accordance with details which have been submitted to and approved by the Local Planning Authority based on the layout as detailed on drawing no 18297/01 Rev A dated 09.01.2020 and including for the;

- Access Road running adjacent to the northern boundary of plot 12.
- The temporary turning head detailed to be formed within plots 78, 79 and 80.
- The turning head form from the access road to the south of plot 65 and across the roadside frontage of plots 98 – 103 – to form a service vehicle turning head.

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

9. No dwelling hereby permitted shall be occupied until space has been laid out within the site and drained and surfaced in accordance with details that have been submitted to and approved by the Local Planning Authority in writing for cars to be parked in accordance with the associated parking area / driveway

layouts attributable to each plot as detailed on drawing number 18297/01 Rev A. 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 policy DM17 (Sustainable Transport) and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

10. Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the buildings shall not be occupied until that junction has been constructed in accordance with the approved details.

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

11. The dwellings hereby permitted shall not be occupied until the highway improvements as detailed below have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority; Uncontrolled pedestrian crossing points and associated footway links / works to be provided at each of the following locations;
  - o Across the turning head on the southern side of Forest Hills
  - o At the Forest Hills Arthur Moody Drive junction
  - o Across the junction serving 25 – 47 Broadwood Lane
  - o At the junction of Broadwood Lane and Forest Hills adjacent to the northern boundary of No. 1 Forest Hills.- At the junction of Broadwood Lane and Park Close through the existing grass verge to avoid conflict with existing vehicle accesses.

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

12. The dwellings hereby permitted shall not be occupied until sight lines have been provided in accordance with the visibility splays shown on the approved plan (18297/01 Rev A dated 09.01.2020) at the junctions through which motorized vehicles would have to pass to access the dwellings. Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

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

13. No development shall take place until details have 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. The agreed facilities 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. Any deposit of material from the site on the highway shall be removed as soon as practicable by the site operator.

**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.

14. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Works associated with the development hereby shall be carried out in accordance with the approved CMP. The CMP shall include consideration of but not limited to the following issues:
- The means of access for construction traffic;
  - The means of loading, unloading and turning of plant and materials within the confines of the site;
  - The storage of plant, material and the provision of operative parking within the confines of the site and associated / used in constructing the development;
  - Measures to control the emission of dust and dirt during construction;
  - Measures to prohibit the discharge of debris and surface water runoff from the site onto the public highway. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development.
  - Hours of construction

**Reason:** To ensure that the works are undertaken in an appropriate manner to minimise impact on the amenities of neighbouring uses and to ensure safe access into the site during the construction period in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

15. Prior to commencement of the development hereby approved the applicant shall submit to the Local Authority and secure under the Road Traffic Regulation Act 1984 on-street parking restrictions within Forest Hills from its junction with Arthur Moddy Drive through to the site boundary with the site to secure junction and pedestrian visibility splays and to allow private and service vehicles to enter and exit the site with ease. All subsequent works associated with the TRO shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

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

16. Prior to the commencement of development, an Environment Management Plan shall be submitted to and approved in writing with 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 Ecology Appraisal and include detailed ecology surveys that build upon the Appraisal, including but not limited to:

- Vegetation removal to be overseen by a suitably competent and qualified ecologist. Fingertip searches and inspections may be necessary at certain times of year.
- Sensitive lighting strategy, with consideration to nocturnal species and impacts of lighting on retained habitats.
- Landscaping and planting plans, including measures to enhance attenuation ponds for wildlife.

The development shall be undertaken in accordance with the agreed details.

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

17. No development shall take place until the applicant or their agents has secured the implementation of a programme of archaeological works 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. The development shall be carried out in accordance with the agreed details.

**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.

18. 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 the commencement of any works:- Isle of Wight County Archaeology and Historic Environment Service, Westridge Centre, Brading Road, Ryde Isle of Wight PO33 1QS

**Reason:** To 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.

#### OUTLINE ELEMENT (19/01415/OUT):

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission. The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent the accumulation of unimplemented planning permissions.

2. Approval of the details of the access and layout of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

**Reason:** In order to secure a satisfactory development and be in accordance with Policies SP5 (Environment), DM2 (Design Quality for New Development), SP7 (Travel) and DM17 (Sustainable Travel) of the Island Plan Core Strategy

3. The development hereby permitted shall be carried out in accordance with the principle of the details shown on the submitted plans, numbered below:

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**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.

4. No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of the positions, design, materials and type of boundary treatment to be erected. The boundary treatments 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.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping. 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 plants shall be native species. 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 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.

6. No development shall take place until a scheme for the drainage and disposal of surface and foul water from the development hereby permitted, including details of the flood protection wall, has been submitted to and approved in writing by the Local Planning Authority. The details shall confirm the Waste Water Treatment Works (WWTW) that will treat drainage from the development. Should the development be served by a WWTW other than the Southern Water facility at Sandown and discharge drainage into the Solent, details of a nutrient budget to prevent harmful impacts on the integrity of the Solent and Southampton Water Special Protection Area (SPA) shall be provided. 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 protect ground water and watercourses from pollution, to prevent harmful impacts on the Solent and Southampton Water SPA 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. No development shall take place until a Management Plan including the management responsibilities and maintenance schedules in respect the areas of open space and the proposed wildlife corridor and wet grassland habitat has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to thereafter.

**Reason:** To ensure that areas of open space and wildlife habitat are maintained in a suitable manner and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

8. 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.

9. No development shall take place until details have 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. The agreed facilities 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. Any deposit of material from the site on the highway shall be removed as soon as practicable by the site operator.

**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.

10. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Works associated with the development hereby shall be carried out in accordance with the approved CMP. The CMP shall include consideration of but not limited to the following issues:
- The means of access for construction traffic;
  - The means of loading, unloading and turning of plant and materials within the confines of the site;
  - The storage of plant, material and the provision of operative parking within the confines of the site and associated / used in constructing the development;
  - Measures to control the emission of dust and dirt during construction;
  - Measures to prohibit the discharge of debris and surface water runoff from the site onto the public highway. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development.
  - Hours of construction

**Reason:** To ensure that the works are undertaken in an appropriate manner to minimise impact on the amenities of neighbouring uses and to ensure safe access into the site during the construction period in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

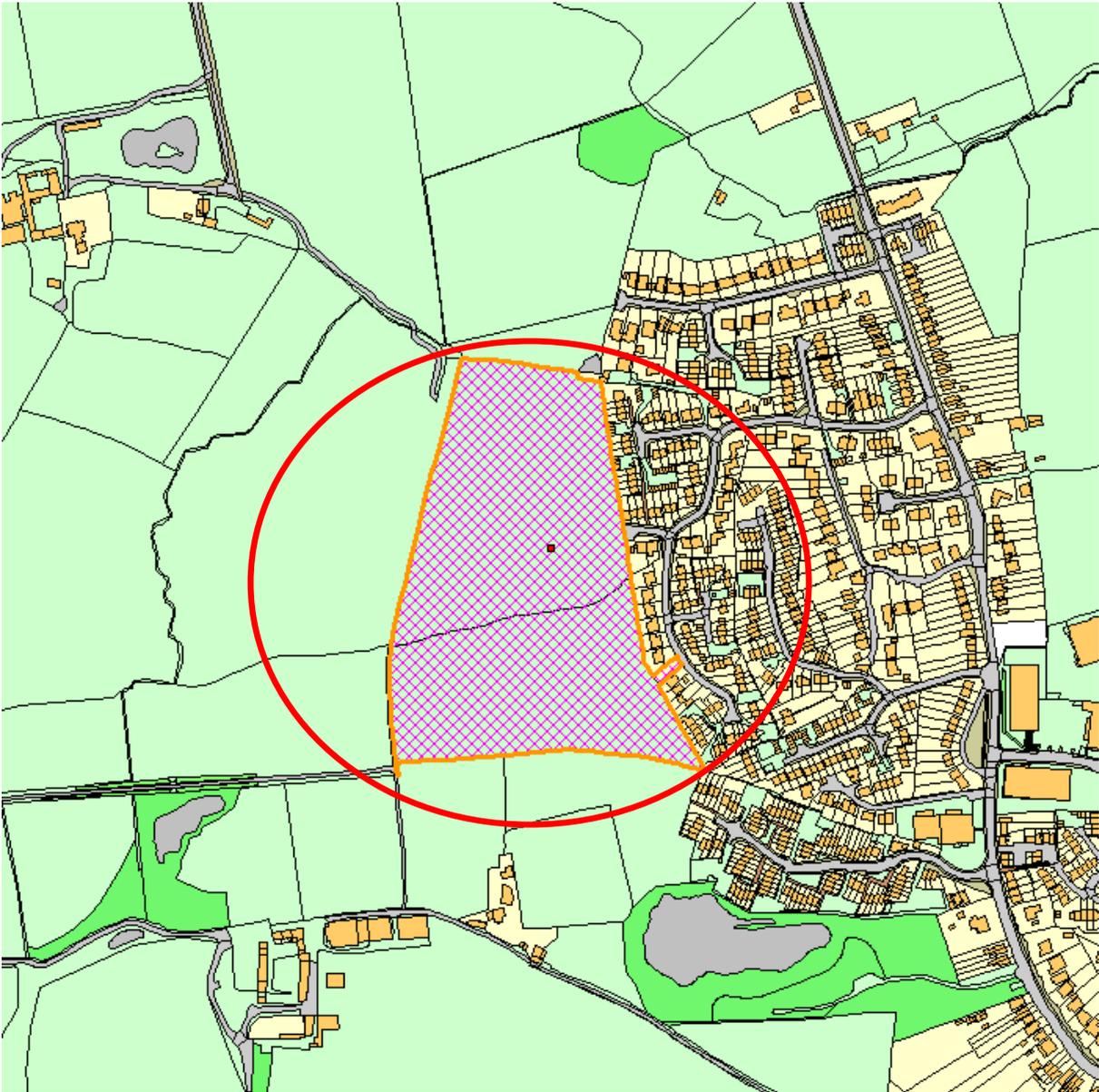
11. No development shall take place until the applicant or their agents has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been agreed in writing by the County Archaeology and Historic Environment Service and approved by the planning authority. The development shall be carried out in accordance with the agreed details.

**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.

12. 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 the commencement of any

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

**Reason:** To 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.



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**03 Reference Number: 19/00677/OUT**

**Description of application:** 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 (revised plan) (readvertised)(revised location)( tree and ecology report)(revised tree and ecology information submitted)

**Site Address:** Land Adjacent To 403, Newport Road Cowes Isle of Wight

**Applicant:** Mr Alan & Ian Jones

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

**REASON FOR COMMITTEE CONSIDERATION**

The Local Ward Member has requested a committee decision for the following reasons:

- Assessment of the landscape character
- Extending the settlement for Northwood
- Proximity to the settlement boundary
- Ribbon development and concern over urban sprawl
- Greenfield site and ecological and tree concerns
- Development not generating S106 benefits
- Impact on achieving housing supply would be minimal.

It is considered that these matters raise policies issues that would warrant the consideration of the Planning Committee.

**MAIN CONSIDERATIONS**

- Principle of the development
- Impact upon the character of the street scene and surrounding area
- Impact upon the amenity of nearby residential occupiers
- Highways considerations
- Ecology and trees
- Other matters

**1. Location and Site Characteristics**

- 1.1** The application site is an area of 0.37 hectares located adjacent to 403 Newport Road in a currently undeveloped piece of land, which benefits from mature boundary treatment fronting the highway of Newport Road.

- 1.2** The site is located on the western side of the highway whereby the majority of residential units occupy the eastern side of Newport Road, although the streetscene benefits from setback residential units amongst undeveloped open space forming agricultural landscape.
- 1.3** The surrounding properties are predominately early-mid twentieth century with a mix of detached bungalows and two storey dwellings constructed of red facing brickwork. The design of these properties feature bay windows and/or staggered projections to the road facing elevations with matching roof projections over. The overall scale and massing of these properties would suggest a typical 3-4 bedrooms, some with integral garages.
- 1.4** The proposed four units would sit opposite residential unit 424 Newport Road, with unit 4 of the proposed dwellings being aligned with the built form on the opposite side of the highway.

## **2 Details of Application**

- 2.1** This proposal seeks outline planning permission for four detached residential dwellings, which would be two storey in height. The proposal seeks solely outline consent, with all matters reserved.
- 2.2** Nonetheless, details of the access arrangement have been provided and this matter has been considered by the officers and Island Roads as a result.
- 2.3** Indicative plans have been submitted setting out that the proposed units would be of a scale and size which would support dwellings of a three or four bedroomed and all units would be served by two off road parking spaces, accessed via the one access arrangement off of Newport Road.
- 2.4** Each property would benefit from being set back from the highway, offering a linear design approach, with ample amenity and outdoor space for future occupiers. Given the surrounding semi-rural locality and ecological findings of the site, two wildlife corridors/buffers have been reflected on the plans provided.

## **3 Relevant History**

- 3.1** Although there is no history specifically on this site officers consider it is relevant to highlight a permission granted to the north of the site:

P/00823/18 - Outline application for up to a maximum 66 dwellings with associated roads, parking and open space with access only off Newport Road at land to the rear of 391 Newport Road, Cowes

## **4 Development Plan Policy**

### National Planning Policy Framework

- 4.1** The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. It refers to three interdependent social,

environmental and economic objectives, which need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across all of these different objectives.

Paragraphs 10 and 11 of the NPPF set out a presumption in favour of sustainable development, so that this is pursued in a positive way. Paragraph 11 explains that for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i). the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii). any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

**4.2** Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. It adds that where an application conflicts with an up-to-date development plan, permission should not usually be granted, unless material considerations indicate otherwise.

#### **4.3** Local Planning Policy

SP1 Spatial Strategy

SP3 - Economy

SP5 - Environment

SP7 - Travel

DM2 - Design Quality for New Development

DM3 - Balanced Mix of Housing

DM4 - Locally Affordable Housing

DM8 - Economic Development

DM11 - Historic and Built Environment

DM12 - Landscape, Seascape, Biodiversity and Geodiversity

DM17 - Sustainable Travel

#### **4.4** Supplementary Planning Documents

**4.5** The Affordable Housing Contributions Supplementary Planning Document (SPD)

**4.6** The Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD)

**4.7** The Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document (SPD)

- 4.8 The Bird Aware Solent Strategy sets out the mitigation for impacts on the Solent Special Protection Area as a result of increased recreational pressure from certain types of residential development that are located within 5.6km of the designated Solent Special Protection Areas.

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

### Internal Consultees

- 5.1 Island Roads have raised no objection to the development as a result of a revised access layout being provided but recommend one condition regarding visibility splays and that other matters are addressed such as drainage and construction during the reserved matters application.
- 5.2 The Council's Ecology Officer has confirmed that as a result of amended information being received, she is satisfied with the mitigation proposals provided and subject to conditions, the proposals can be supported.
- 5.3 The Tree Officer is supportive of the development on the basis that one unit has been removed and there would be no conflict with protected or high amenity trees as a result of the revised layout. The Officer recommends one planning condition.

### External Consultees

- 5.4 Southern Water have highlight considerations for the layout and the existing infrastructure which would need to be considered. The summarised details have been proposed as an informative.

### Parish/Town Council Comments

- 5.5 Northwood Parish Council have objected to the application, raising issues that can be summarised as follows:
- The proposed development, due to its location, is neither within nor immediately adjacent to the settlement boundary. Therefore, the Parish Council strongly recommends that in no circumstances should the application be allowed to be approved;
  - The proposals would not enhance, protect or preserve the current visual amenity on this section of Newport Road;
  - The proposals represent an extension of development increasing the distance between new homes and local facilities;
  - The resulting development would contribute to an undesirable ribbon development, creating urban sprawl in an area where development would not be supported, and the protection of green space was fundamental;
  - At just four units it is unlikely to be viable because of S106 contributions that must be sought towards the Parish Council's list of potential local priorities identified and the necessary highway improvements that would be required if the IW Council were minded to approve the application;
  - The necessary land for the access from Newport Road is considerably further outside the development envelope;

- Further development on this western elevation of the Newport Road would conflict and jar with the sporadic and softly landscaped remnants of this side of the highway;
- The Parish Council's Housing Needs survey only identified a need for 27 new homes in total over a five-year period up to the end of 2019.
- This has been more than satisfied by the number of planning approvals for new housing, which includes the approved application for 31 residential units on land adjacent Harry Cheek Gardens and rear of 31 to 61 Pallance Road, Northwood and for up to 66 units along the Newport Road, Northwood.
- The scheme would have a minimal impact on achieving the Island's housing supply, in which the delivery of these four units would be outweighed by the demonstrable and harmful impacts further linear development in this location would have in terms of intrusion on this welcomed and much needed green gap;
- the development is contrary to policies DM2, SP1 and SP2 of the Island Plan Core Strategy
- The Parish Council rejects the principle of any form of development being undertaken on this site as the scheme would harm the landscape character of the area, bringing no benefit and would fail to comply with the principles of sustainable development as required by the established planning
- policy
- It should be noted that several ancient woodlands can be found within the near vicinity and appropriate mitigation measures must be taken to preserve the integrity of these designated sites which contain a number of TPO trees;
- Within the curtilage of the site ancient grassland can be found, which has not been disturbed and must continue to be preserved countering any argument regarding the gain to biodiversity, which would be in opposition to the National Planning Policy Framework (NPPF)
- Having regard to the expressed uncertainty by planning officers concerning the validity of the Core Strategy, particularly Policy SP1, and also to the Government's proposals for the reform of the current planning system as well as the Planning White Paper - Planning for the Future, it would be premature to approve the application.

**5.6** The Local Member has commented on the proposal and has requested that the application be discussed at Planning Committee, for the following reasons:

- 1) The proposed development is neither within nor immediately adjacent to the settlement boundary. It is on the other side of the road to and extends southward beyond the line of existing development on the east side of Newport Road, the main Cowes Newport artery, and is some 250m to the south of the development boundary on the west side of Newport Road.
- 2) The proposals would not enhance, protect or preserve the current visual amenity on this section of Newport Road, where there exists a virtually uninterrupted view across Island countryside for some 12 miles.
- 3) The proposed development extends the settlement of Northwood increasing the distance between new homes and local facilities.
- 4) The proposed development would contribute to an undesirable ribbon

effect, creating urban sprawl and development corridor in an area where development would not naturally be supported, and the protection of green space was fundamental.

- 5) At just four units it is unlikely to be viable because of S106 contributions that must be sought towards the Parish Council's list of potential local priorities identified and the necessary highway improvements that would be required, if the IW Council were minded to approve the application.
- 6) The necessary land for the access from Newport Road is considerably further outside the development envelope.
- 7) Further development on this western elevation of the Newport Road would conflict and jar with the sporadic and softly landscaped remnants of this side of the highway.
- 8) On balance, the scheme would have a minimal impact on achieving the Island's housing supply, in which the delivery of these four units would be outweighed by the demonstrable and harmful impacts further linear development in this location would have in terms of intrusion on this welcomed and much needed green gap.
- 9) As such, the development is contrary to policies DM2, SP1 and SP2 of the Island Plan Core Strategy.
- 10) This scheme would harm the landscape character of the area, bringing no benefit and would fail to comply with the principles of sustainable development as required by the established planning policy.
- 11) It should be noted that several ancient woodlands can be found within the near vicinity and appropriate mitigation measures must be taken to preserve the integrity of these designated sites, which contain a number of TPO trees.
- 12) Within the curtilage of the site ancient grassland can also be found, which has not been disturbed and must continue to be preserved countering any argument regarding the gain to biodiversity, which would be in opposition to the National Planning Policy Framework (NPPF).
- 13) Having regard to the expressed uncertainty by planning officers concerning the validity of the Core Strategy, particularly Policy SP1, and also to the Government's proposals for the reform of the current planning system as well as the Planning White Paper - Planning for the Future, it would be premature to approve the application.

### Third Party Representations

**5.7** One comment has been received from a local resident, who have objected raising comments that can be summarised as follows:

- Not objecting to the dwellings, they would be houses anyone would be proud to own, but on the grounds that the access to and from the development onto Newport Road is unacceptable and unsatisfactory to serve the development.

**5.8** The Badger Trust have objected to the development, with initial comments stating:

There are several badger setts within 1 km of this site, so we request that the site

is surveyed for protected species before any planning decision is taken.

Further to a Survey being carried out, The Badger Trust IW object to this planning application due to the proximity of an active badger sett which is protected by law.

The Badger Trust have later commented that the development would require the benefit of a licence to close the sett from Natural England and that they object on the basis that there is a very real potential for disturbance and interference to an active badger sett.

## **6 Evaluation**

### Principle of the proposed development

**6.1** 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. In addition, the Gurnard Neighbourhood Development Plan states that new residential development within the Medina Valley KRA should be prioritised to be within the settlement boundary or specific sites allocated by the plan. However, this policy position should be taken in the context of the most recent housing needs assessment, Strategic Housing Land Availability Assessment (SHLAA) and the Council's Five-Year Land Supply Update 2018. The latter of these documents outlines at paragraph 7.18 that "the Isle of Wight Council considers that it cannot demonstrate a five-year land supply as at 1 April 2018."

**6.2** Further to this, the Housing Delivery Test (published 19 January 2021) shows that 54% of the housing need (when using the Government's Standard Method Calculation) has been delivered on the Isle of Wight over the three-year period to 31 March 2020.

**6.3** 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:

- 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
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

- 6.4** The importance of the above paragraph relates to the footnote attributed to 'out-of-date' associated with section (d) which states: "This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."
- 6.5** The Council's annual monitoring reports and the Housing Delivery Test demonstrate that delivery over the last three years has been in the region of 54% and we therefore fall within both categories. In light of this it is considered that it is not necessary for the applicant to demonstrate a need, as policy SP1 is considered out of date. In addition, to this, the strategic housing policies within the Gurnard Neighbourhood Development Plan area also out of date due to this level of under-delivery.
- 6.6** Nonetheless, 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.
- 6.7** The proposed four dwellings would be located on Newport Road which offers a local convenience store - Northwood Stores approximately 0.20 miles from the application site, which is considered to be a four-minute walk away. The development would also be in close proximity to public transport options, namely the No. 1 bus service which runs along Newport Road to both between Cowes and Newport. This is a regular service which also runs during evening and weekends and could facilitate sustainable modes of transport.
- 6.8** The development would also be in a close walking distance to leisure and amenity options, including a Public House (The Horseshoe) and a Church. Larger facilities such as Aldi and The Range could also be walked in approximately 20 minutes from the application site and are therefore considered to be accessible by sustainable option, without a strong reliance on the need for a private vehicle.
- 6.9** On balance, given the scale of the development being four houses, and the surrounding facilities available, in an area predominately made up of residential units, these additional dwellings would help to support existing local infrastructure, with the ability to walk and use public transport to gain amenities within Northwood, and Cowes.
- 6.10** In terms of the housing needs for Northwood, a study was produced in November 2014, which would calculate the housing need for the area up to 2019. Given the time that has lapsed, officers consider this document to be out of date. Nonetheless, for clarity, the document identifies the need for 27 homes over this plan period. As such, the Parish Council as part of this proposal have commented that the area has fulfilled the need of the assessment and that these houses are not required to meet the criteria. However, there is no further document to

consider Northwood's position on this and the assessment was made nearly seven years ago. Therefore, weight should be given to the Council's Housing Needs Assessment which was undertaken in 2018.

**6.11** The Council's Housing Needs Assessment (HNA) undertaken in 2018. This identifies the site as being within the Medina Valley West sub-market area, where there is a need for the following mix of open market housing:

- 1-bedroom – 5%
- 2 bedroom – 40%
- 3-bedroom – 42%
- 4-bedroom – 14%

It should be noted that this is an advised mix and that some sites may deliver a different mix of housing depending on the character of the area.

**6.12** The supporting information and review of the local area identifies that the pattern of development along both sides of Newport Road benefit from linear style units which offer similar massing to the proposed dwellings. Whilst this is a proposal for outline consent, with design and scale to be considered at reserved matters stage, the supporting documentation indicates that the proposed four units would follow this prevailing pattern in terms of scale and mass as reflected in the wider semi-rural locality on the approach to Cowes. As such, the four houses are proposed to offer a mix of three and four bedroomed family homes with integral garages, following the style of properties in the area.

**6.13** Whilst concern has been raised from the Parish and third parties that this type of development is neither suitable for the needs of the area or constitutes affordable housing, in this instance the revised scheme is a relatively small-scale development and would assist in housing delivery of three bedroomed houses, which are identified as a priority across the Island. This type of unit can therefore be sought in the reserved matters application, adding a further benefit of appearing in keeping with the prevailing pattern of development in terms of scale and built form finish.

**6.14** On balance, the proposed four units are located in a sustainable area, with supporting transport route, and the town of Cowes nearby for wider services. The scheme for these units has been amended to overcome issues relating to trees and ecology, as discussed below, and the development would be well screened through the proposed layout to offer an in keeping design, which follows the prevailing pattern of development, without extending the built form in this locality. Therefore, the broad principle of the development is supported by officers in this instance, subject to the wider policies of the Island Plan and the NPPF being adhered to, as outlined below.

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

**6.15** The application site lies at the southern edge of Cowes, adjacent to residential dwelling, 403 Newport Road. The prevailing character of the area is generally typical of bungalows, dormer bungalows, with the scattering of two storey

properties which are well landscaped and positioned adjacent to the highway, predominately finished in red brick and largely of a modest, high quality and pleasant appearance.

- 6.16** The proposed development would comprise of four detached properties which would be positioned adjacent to the existing detached unit of 403 Newport Road on the western side of the highway, generally opposite the pattern of linear development to the east.
- 6.17** The proposal is for outline consent and therefore, the mass, scale and design of the units would have to be assessed at a later Reserved Matters application. Nonetheless, the application does detail the limitations of the proposed units, which would comprise two storeys in nature and would have maximum eaves heights of 5.50 metres and ridge heights of 7.20 metres to 9 metres. This range would allow for a range of pitches to be explored at the design stage. The footprint limits offered would be 65 m<sup>2</sup> to 80m<sup>2</sup>.
- 6.18** The proposed units would offer a setback of approximately 30 metres from the highway, which would be consistent with the existing pattern of development and the location of 403 Newport Road. The setback would allow for a 10-metre boundary treatment to be retained and managed adjacent to the highway, with the access road serving all the properties to be sympathetically designed through a further landscaping proposal, to ensure that screening is effective and of a high quality. The proposed parking would be located to the front of the properties and thus would be positioned approximately 17 metres from the highway of Newport Road.
- 6.19** The semi-rural nature of the site would be retained through the retention of the hedgerow to the principle elevation and only a section would be omitted to provide the single access point to serve the proposed four dwellings. The access arrangement would run parallel behind the hedgerow and therefore the retention of the vegetation would be in keeping with the frontages of this section of Newport Road and also provide natural screening for the dwellings in this location. As such, given the maturity of the boundary and the relationship within the site, the proposed section of hardstanding would not be highly visible or dominant within the streetscene and thus would not detract from the pleasant visual amenity of the locality in relation to the aims of Policy DM2 of the Island Plan.
- 6.20** The development of the four units would sit adjacent to residential property, No. 403 and the development would lay opposite residential unit No. 424 when considering the positioning of the last proposed dwelling, 'Unit 4' of this proposal. As such, whilst the development would take place in an undeveloped site, officers are of the opinion that the establishment of these further four units would not extend beyond the existing visual boundary of residential development. The proposed units have been designed to be sympathetic to their surroundings, whereby both sides of the highway would now progress in equal partnership into open, and rural space and this development would not elongate the positioning of residential properties over and above the existing situation when considering the built form on the eastern side of Newport Road.

- 6.21** Concern has been raised that the proposed development would result in an extension of built form into open and undeveloped space, which would see the reduction in the space between the towns of Cowes and Newport and provide for a coalition of the two settlements. Officers are of the opinion that there would not be an extension of ribbon development as noted within the representations. As such, whilst there are fewer properties on this side of the highway of Newport Road, the positioning of established residential units occupy land this far south on the opposite side of the highway and thus the resulting built form would not visually erode and diminish this current 'end' point to properties leading out of Cowes.
- 6.22** Instead the four units would be contained within a streetscene encompassing residential development, and thus the delivery of these units would not visually alter the settlement definition, and the units would be positioned to occupy a piece of land which does not extend the current built form. Therefore, the development is considered to be sympathetic in terms of layout and position to complement the existing pattern of development and the aesthetics and representations.
- 6.23** Although each development should be considered on their own merits and on a case by case basis, in this instance it is important to draw from the findings of the 2020 Appeal Decision for two residential units on land adjacent to residential property, 424 Newport Road. Whilst it is important to recognise the differences in the proposal, mainly the Planning Inspectorates conclusion the proposed land in this previous instance constituted residential curtilage and not undeveloped, agricultural land, the proposed units were proposed to extend the southern boundary to a visually noticeable degree, over and above this proposal. Nevertheless, the Inspectorate concluded that *'I appreciate that the Council's spatial strategy notably seeks to retain visual gaps to prevent the coalescence of settlements However, as a significant degree of separation would be retained between Cowes and Newport as a result of the development, I am satisfied that the proposal would not be harmful in that regard'*.
- 6.24** Therefore, the proposed four units would not extend the visible end to the built form along Newport Road, and whilst concern has been raised in respect to the revised position of the access, which now sits to the south of unit 4 and thus marginally outside of the notable boundary line for Northwood, this would not appear as a dominant or adverse development that would conflict with the design aims of the Island Plan. Furthermore, if the two approved dwellings are built out opposite, then the building line would be extended beyond this access point and therefore reduce the perceived boundary encroachment further. However, if this is not built out, officers are satisfied that the positioning of the access would be a minor amendment which would not conflict with the surrounding open and undeveloped landscape and would be in accordance with the aims of Policies DM2 and DM12 of the Island Plan Core Strategy.

#### Impact on neighbouring amenity

- 6.25** There is an existing presence of units along the eastern section of Newport Road and the general principle of additional units in a linear format would have a comparable impact to the existing situation between properties located opposite

and the scattering of properties on the western side of the highway. Therefore, there would not be a harmful impact on amenity in terms of overbearing effect, loss of privacy or light in this regard with the positioning of the four units appearing in keeping and subordinate to their setting.

- 6.26** Therefore, based on the existing and proposed pattern of development, combined with the separation of the highway, suitable set back of the existing and proposed units, mature hedgerow and the ability to ensure further landscaping through mitigation measures at a planning conditions stage, the design of the development would therefore preserve amenity in accordance with the aims of Policies DM2 and DM12 of the Island Plan Core Strategy.
- 6.27** The retention of the northern boundary through the location of the protected trees, as discussed below, would ensure that amenity is protected when considering the closest dwelling 403 Newport Road. Furthermore, the separation distances through the course of the application have been extended through the removal of the original unit 1 and thus, subject to a forthcoming sympathetic design, mainly through fenestration detailing as part of a reserved matters application, the positioning is suitable in policy terms and the combined developments would protect amenity.
- 6.28** Any forthcoming planning application would need to ensure that suitable and effective facades and fenestration detailing would be illustrated to ensure that the development of the four units would protect amenity between each of the proposed plots. However, given the detached nature and the proposed separation distances between the plots, this is not considered to be an element which would cause harm in relation to the aims of policy DM2 of the Island Plan Core Strategy.

#### Highways considerations

- 6.29** The proposal seeks one means of access from the highway of Newport Road. The access road would run in a northerly direction to serve each of the proposed four units, and their separate parking spaces. During the course of the application, as a result of initial concerns being raised, the access location was repositioned further south, which has resultingly extended this section of the redline plan, as per the revised plans for this proposal.
- 6.30** Newport Road, Cowes is an 'A' classified public highway governed by a 40mph speed limit at the point in question. As such, the 101m visibility splays required for this speed limit have been assessed and are considered to be acceptable. The proposed turning heads are considered sufficient to enter and exit onto the highway in forward gear. Furthermore, the parking bays are sufficient in size and offer two spaces per dwelling, which meet the guidelines set out above. Additionally, the width of the service road is acceptable at 6.00 metres, which would allow refuse vehicles and fire appliance to access the site.
- 6.31** Island Roads have commented that the development does not reflect pedestrian crossing facilities to the eastern footway of Newport Road, and therefore it is recommended that this feature is incorporated into a layout scheme as part of the reserved matters application. A reserved matter would be subject to Island Roads

for comments and therefore the acceptability of this provision can be reviewed at a later stage to ensure highway safety and design criteria are met.

- 6.32** Overall, the consultee is satisfied with the development, subject to one planning condition relating to visibility splays. The application is therefore considered to be acceptable in highway terms and would comply with policy SP7, DM2 and DM17 of the Island Plan Core Strategy.

### Ecology

- 6.33** Third parties have raised concerns that the proposal would result in an adverse impact on wildlife, with particular reference to the loss of hedgerow to the frontage of the site as well as open space which supports wildlife within the existing field which makes up the application site.
- 6.34** The initial consultee comments received from the Ecology Officer raised the need for further ecological information in the form of an appraisal. This was submitted as part of an Eagle Eye Report- dated December 2019 in which a walk over survey of the site and an assessment of the impacts provided. As a result of this survey, the Ecology Officer raised some further comments on the report findings.
- 6.35** For clarity, these were the following points:
- The need for a further assessment of the badgers within the locality and how the identified Badger sett would be avoided.
  - The need for a Dormouse survey, given the impact a section of hedgerow to facilitate the access would have on the species
  - Potential for reptiles has been established, but not been thoroughly assessed- the impacts would need to be assessed
  - A net gain of 40% has been calculated, however the baseline assessment has not been provided to support this- future residential gardens cannot be included as their uses cannot be controlled
  - Impacts from the operation of development have not been assessed.

As a result of these findings, further information was submitted in the form of a Badger Report and a Dormouse Survey, the need for the Reptile Report was discussed between the Ecology Officer, Eagle Eye and the agent for the proposal and it was confirmed, whilst this is a survey which is required for the support of the proposal, subject to findings, it is a survey that could be carried out as part of the Reserved Matters planning application stage and therefore it was mutually agreed to be omitted from this outline consent proposal.

- 6.36** The subsequent Badger and Dormouse reports were nonetheless presented to the Local Planning Authority in August 2020 for review of the Ecology Officer. As a result, the comments were updated and in regard to the Dormouse Survey, the findings show that there would be a loss of 5 metres of hedgerow and that 2 finger-tip searches were carried out in April 2020, with no evidence of dormouse presence being recorded. As a result, the Ecology Officer confirms that a suite of mitigation and enhancement measures, which are proposed within the report should be conditioned to ensure that any potential dormouse habitat is protected through development. These measures should be carried out in full to cover the

following measures: protection of all boundary hedgerows, supplementary planting to include species suitable for dormice, future management to allow flowering and fruiting and awareness of the species during clearance and development procedures.

- 6.37** The initial Badger Report received in August 2020 generated the following comments from the Ecologist stating that there is an active sett on the site and that a range of avoidance and mitigation measures are proposed within the report, although there is some concern over the identification of the specific impacts of the development on the setts. Measures for effective working on site within 10,20 and 30 metres of the sett have been identified and what type of machinery can be used. The need for a licence to be obtained from Natural England would need to be secured for the closure of the sett, but regardless of this approach compensatory measures would need to be secured through condition at the planning stage. The Ecology Officer confirmed at this stage that further details were still required in terms of the strategy for closing the badger sett, if this was the route in which the applicant wished to proceed with.
- 6.38** In light of the above concerns and comments, the agent did discuss with the officers about potentially staggering the proposed four units and allowing for suitable separation distances to accommodate the recognised badger sett. However, for practical reasons and to essentially avoid the potential loss of unit 3, which was identified as being a proximity concern, the agent confirmed that in order to progress the application, the project would encompass the relocation of the Badger Sett elsewhere on the applicant's land. Given the documented activity, the applicant would seek to build a new sett in line with guidance from Natural England.
- 6.39** The agent has provided a Sett Relocation Strategy, which would be included in the subsequent detailed application if outline planning is approved. Officers considered that a method statement would be required at the outline planning stage and therefore Eagle Eye prepared a sett closure/translocation document demonstrating a detailed method statement and programme for implementation. This document was received on the 26<sup>th</sup> March 2021 outlining how the sett is a subsidiary sett and would be able to be closed without the need for an introduction of an artificial sett. The main sett was identified within the report as being along the Western boundary of the site and therefore it has been recommended within the findings that a 30-metre buffer zone from the development has been shown on a further plan.
- 6.40** Furthermore, some badger activity was noted on the northern boundary by the ecologist preparing the report and as a result a buffer corridor has been demonstrated on this section of the plans as well in an attempt to maintain undisturbed movement of the badgers in this locality. The Ecology Officer has reviewed this further information and concludes that a main sett is located in woodland at the boarder of the site, and this would remain protected and it is proposed that enhancements for badgers are provided on site. The officer is now satisfied that the measures outlined in the Badger Mitigation Methodology Report (Eagle Eye, March 2021) ensure the protection of badgers as legally required. For clarity, the following measures are required and should be secured via

condition:

- Sett closure to be completed under Natural England license and in accordance with the plans submitted.
- Sett closure to occur between July and November only.
- Landscaping plans to be submitted showing proposed enhancement planting.

**6.41** As such, the Badger and Dormouse aspects of the proposal have been addressed through the course of the application and officers are satisfied that further measures can be secured by condition through a Reserved Matters application. Nevertheless, officers have been presented with all the necessary and relevant information at this stage in order to make an informed recommendation on the proposal for four residential units. Whilst the initial comments from the Ecology Officer raised some concern over the net gain of biodiversity and how this has been calculated, this is not a measure that officers can ask to be provided to any further extent at this stage. The details nonetheless of net gain can be controlled and demonstrated through a planning condition which would incorporate planting, landscaping and implementation to meet the aims of policy DM12 of SP5 of the Island Plan Core Strategy.

#### Trees

**6.42** The original submission reflected outline plans for five detached units in which the Tree Officer considered and provided initial comments stating that whilst the majority of the application site is representative of a field, there are a significant line of trees which occupy the northern boundary of the site. These trees provide natural definition and screening between the application site and the neighbouring residential property, No. 403.

**6.43** On review of the trees, the officer confirms that there is a mix of indigenous specimens and exotic specimens forming a well treed boundary seen from the Newport Road. Many of these trees are of a good quality and important to the character of the area and as a result, the officer considers that several of the trees individually are worthy of a "B" grade at least, and collectively they could be seen as being worthy of a "B2" grading. Therefore, any development would need to ensure the protection of the trees of this boundary and the arboreal character they provide the wider area.

**6.44** The officer further commented that the proposal was omitting arboricultural information, however, the outline plans still indicated that there would be a detrimental impact on the longitude of the heath and presence of a number of the trees occupying the northern boundary. The officer clarified that the proposal as presented in this original form would result in the unacceptable loss of arboreal amenity, rural character and screening of the adjacent property.

**6.45** As such, the officer advised that a Tree Survey should be undertaken and the constraints of the findings identified and presented and from this information the density of the housing proposed should be calculated, whilst retaining the important tree cover as identified.

- 6.46** As a result of the above, further information was submitted and the Tree Report identified that unit 1, the plot adjacent to No. 403 of the five dwellings would have a conflicting impact on a protected Oak on the basis that the proposed dwelling would encroach on the Root Protection Area, with the tree being considered a high amenity tree. The extent of the encroachment was considered by the officer to be to an unacceptable level and thus the development would have an adverse impact on the trees roots through actual damage and covering a large area of potential nutrient uptake impacting on the long-term health of the tree.
- 6.47** The same dwelling was identified to be positioned under the canopy of the tree making it necessary to reduce the tree significantly impacting on its form and amenity. It was also considered that T2 and T3, another Oak would overhang the garden of unit 1, by at least 50% of its capacity and as such cause very high levels of shade to the garden making it unusable. As a result, the Tree Officer highlighted that it would be probable that the house would also suffer unacceptable shade level due to the proximity of the trees to the rear elevation. Due to the proximity of protected tree T2, there would also be a dominance issue to the house. As a result, the layout for five dwellings would not be considered suitable, as there would be a detrimental impact on the health of the tree, and it would be likely that it would deteriorate over time or would have to be removed in this instance.
- 6.48** In light of the above assessment, the proposal was amended and subsequently unit 1 was removed from the outline consent sought. The Tree Officer has reviewed this revised layout plan and confirms that the block plan for the dwellings now addresses the previous concerns raised. As such, the removal of a dwelling in this position adjacent to the northern boundary would ensure that there would be a harmonise relationship between the protected tree 'T2' and the nearest dwelling. Furthermore, there would be in excessive of a 2-metre crown clearance and therefore the tree can be reasonably managed.
- 6.49** Additionally, for further protection the Tree Officer has advised that prior to development starting additional trees in this northern boundary would be T.P.O to enable to health and retention of these trees in a changed environment and support the aims of Policy SP5 and DM12 of the Island Plan.
- 6.50** The Tree Officer also commented on the health of tree T1, which occupies the entrance to the site. This tree is proposed to be removed to establish a safe visibility splay when exiting the site. However, the Tree Officer confirms that it is probable that the tree would have to be removed even if the development did not occur as there is a large cavity in the trunk making it unstable. Given its location there is a risk it could collapse into the road if left and therefore given its proposed removal is incorporated into the development proposal, the loss can be effectively mitigated for in the landscaping of the site.
- 6.51** In conclusion, the revised layout has overcome the previous concerns raised by the Tree Officer, there would be a minimal impact to the trees of high amenity as long as the guidance is the most recent tree report is followed. As a result, a method statement (including fencing) condition is recommended which would ensure that no development would occur until details of the existing trees would

be managed on site during construction works in order to protect amenity in accordance with the aims of Policies SP5 and DM12 of the Island Plan Core Strategy.

#### Other matters

- 6.52** Policy DM4 (Locally Affordable Housing) of the Island Plan requires financial contributions towards the delivery of affordable housing for minor developments. The Council's Affordable Housing Contributions SPD sets out the level of contribution required for new housing development. The applicant has provided confirmation that they are willing to enter into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the required contribution. In this instance the applicant has entered into the Legal Agreement and therefore fulfils the requirements of meeting the aims of Policy DM4 of the Island Plan Core Strategy in this instance.
- 6.53** The application site is located within the identified Solent Special Protection Area buffer zone. As such, a mitigation payment towards the Solent Special Protection Area Project would be required in relation to the development to mitigate 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. In this instance, the applicant for the scheme has entered into the Legal Agreement which would secure payments on commencement of the development and therefore meets the needs of the Protection Area, offering suitable mitigation in this instance.

## **7 Conclusion**

- 7.1** The proposed development of four dwellings would assist in meeting the housing needs of the Island in a sustainable location with good access to services and facilities as well as public transport. It is considered that the proposed houses would be a suitable size, scale and design in relation to the surrounding area while not degrading the wider landscape character of the area. The proposed development would not compromise the amenity of nearby properties. The site would be served by suitable means of access and parking areas and not harm ecology or trees on site through the implementation of conditions and a reserved matters stage. Therefore, having given due weight and regard to all material considerations, for the reasons set out above, the proposal, subject to the recommended conditions, is considered to comply with the requirements of the policies listed within this justification.

## **8 Recommendation**

- 8.1** Conditional Approval subject to a Unilateral Undertaking to secure an affordable housing and SPA mitigation contribution.

## **9 Statement of Proactive Working**

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

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

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

The application was deficient in information relating to access, trees and ecology. Further information provided during the course of the application that overcame the Council's concerns

#### **Conditions**

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission. The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent the accumulation of unimplemented planning permissions

2. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: In order to secure a satisfactory development and be in accordance with policy SP1 Spatial Strategy and DM2 Design Quality for New Development of the Island Plan Core Strategy.

3. The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered:
  - Outline Site Proposals, Drawing No. 0002, Rev P7,
  - Proposed Western Buffer Zone. Drawing No. 0003 Rev P2
  - Tree Survey and Constraints Plan, Rev A (Received 11 August 2020)
  - Eagle Eye Dormouse Survey – Dated 04 August 2020
  - Arboricultural Report Dated 8 January 2020- Rev A- Received August

2020

- Site Location Plan- Site Block Plan, Drawing No. 0001, Rev P3 (Received January 2020)

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.

4. No exterior work to construct the dwellinghouses, or exterior paths hereby permitted shall take place until samples of materials including mortar colour relating to the external surfaces and the roof materials are provided, alongside details relating to rainwater goods to be used in the construction 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

5. No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings hereby permitted are occupied in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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.

6. 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.

7. The building hereby permitted shall be brought into use until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping in accordance with the principles shown on the approved plans and supporting information. 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 plants shall be native species. 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.

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 Preliminary Ecology Appraisal and include detailed ecology surveys that build upon the Appraisal. 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 protected species recorded through the additional species surveys
- 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 (in combination with condition 7) to ensure ecological enhancement
- If during any stage of development of the site protected species are identified, an ecologist should be contacted to ensure compliance with wildlife regulations, including periods when works should cease due to nesting and hibernation seasons.

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. Development shall be carried out in accordance with the mitigation and

enhancement measures set out in the Preliminary Ecological Appraisal, dated December 2019.

Reason: To protect the environment and existing wildlife, and legally protected species in accordance with the aims of Policies SP5 (Environment) and DM12 ((Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

10. Development shall be carried out in strict accordance with the mitigation measures, licencing, badger sett closure and timetable of works set out in the Badger Mitigation Methodology Report (dated 24 March 2021).

Reason: To protect the environment and existing wildlife, and legally protected species in accordance with the aims of Policies SP5 (Environment) and DM12 ((Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

11. Prior to work commencing on site details of the proposed means of surface water drainage based upon sustainable drainage principles shall be submitted to the Local Planning Authority for agreement in writing. Such details shall include calculations, detailed designs, measures relating to the design and maintenance of any on-site SUDS facilities, a phasing plan and timetable for the delivery of any required infrastructure. The agreed details shall be installed during the development of the site in accordance with agreed phasing plan for the drainage infrastructure, unless otherwise agreed in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the means of foul and surface water drainage for that dwelling has been installed.

Reason: To ensure a satisfactory means for the disposal of surface water from the development, and to minimise the risk of flooding. In accordance with Policy DM14 (Flood Risk) of the Island Plan Core Strategy and Government advice contained within the National Planning Policy Framework 11.

12. The development shall not be occupied until sight lines have been provided in accordance with the visibility splays shown on the approved plan DR A 0002 Rev. P7 Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

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

13. No development shall take place until a scheme for the drainage and disposal of surface and foul water from the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The details shall confirm the Waste Water Treatment Works (WWTW) that will treat drainage from the development. Should the development be served by a WWTW other than the Southern Water facility at Sandown and discharge drainage into the Solent, details of a nutrient budget to prevent harmful

impacts on the integrity of the Solent and Southampton Water Special Protection Area (SPA) shall be provided. 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 protect ground water and watercourses from pollution, to prevent harmful impacts on the Solent and Southampton Water SPA 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 a pre-commencement condition due to the early stage at which the drainage system would need to be installed.

14. 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 Classes A to E of Part 1 of Schedule 2 to that Order shall be carried out other than that expressly authorised by this permission.

Reason: To protect visual and residential amenity in accordance with the aims of Policy DM2 (Design Quality for New Developments) of the Island Plan Core Strategy.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no fencing, wall or other means of enclosure (other than that expressly authorised by this permission) shall be erected, unless otherwise approved in writing by the Local Planning Authority.

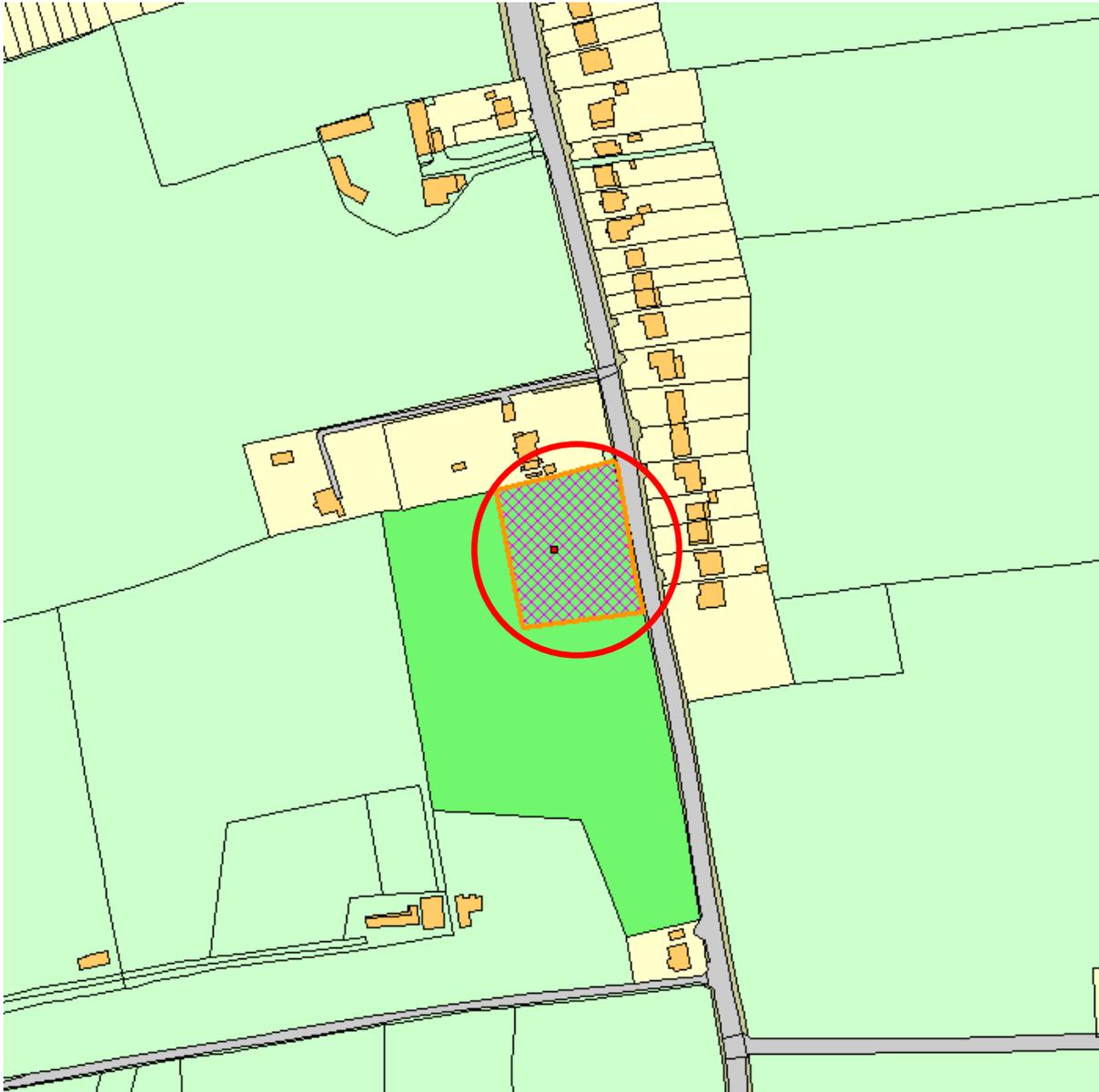
Reason: In the interests of the amenities of the area and to protect sight lines for the parking spaces hereby permitted in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

## **Informatives**

1. No excavation, mounding or tree planting should be carried out within 6 meters of the public water main without consent from Southern Water.
- No new soakaways should be located within 5 meters of a public water main.
  - All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.
- Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

2. The finalised layout, drainage, construction and off-site highway improvements shall be dealt with under reserved matters to meet highway safety and design standards.

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