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Agenda

Name of meeting	PLANNING COMMITTEE
Date	TUESDAY 16 NOVEMBER 2021
Time	4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the Committee	Clrs M Lilley (Chairman), G Brodie (Vice-Chairman), D Adams, M Beston, P Brading, C Critchison, R Downer, W Drew, C Jarman, M Oliver, M Price, C Quirk S Smart (IWALC representative) Cllr P Fuller – Cabinet Member for Planning and Community Engagement Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

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

To confirm as a true record the Minutes of the meeting held on 19 October 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 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, 11 November 2021.

4. **Report of the Strategic Manager for Planning and Infrastructure** (Pages 7 - 70)

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 no later than 4.00 pm on Friday, 12 November 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, 8 November 2021



Minutes

Name of meeting	PLANNING COMMITTEE
Date and Time	TUESDAY 19 OCTOBER 2021 COMMENCING AT 4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs M Lilley (Chairman), G Brodie (Vice-Chairman), D Adams, M Beston, V Churchman, C Critchison, W Drew, C Jarman, M Oliver, M Price and C Quirk
Officers Present	Oliver Boulter, Russell Chick, Alan Ransom, Sarah Wilkinson and Justin Thorne
Apologies	Cllrs R Downer, S Smart and P Fuller

27. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 21 September 2021 be approved.

28. **Declarations of Interest**

There were no declarations at this stage.

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

There were no public Questions.

30. **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 application 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.

Application:

20/00513/FUL

Details:

The construction, operation and decommissioning of a well site for the exploration and appraisal of hydrocarbon minerals from one exploratory borehole (Arreton-3) and one side-track borehole (Arreton-3z) for a temporary period of three years involving the siting of plant and equipment, the construction of a new access track, a new junction with the Newport to Sandown highway (A3056), the erection of boundary fencing, entrance gates and other ancillary development with restoration to agriculture - revised plans and information relating to means of access and rights of way mitigation measures, site layout, sections and restoration; clarification relating to ecology and environmental health issues; revised location plan/ red line boundary (readvertised application).

Land To The North East Of New Barn Business Park, Sandown Road, Arreton.

Site Visits:

The site was carried out on Friday, 15 October 2021

Public Participants:

Mr J Idle (Objector)

Mrs S May (Objector)

Mr S Davis (Objector)

Cllr M Kimber (Arreton Parish Council)

Mr M Cartwright (Applicant)

Mr N Moore (Agent)

Additional representations:

Six additional representations had been received by the Local Planning Authority since the report had been published raising concerns regarding the application. A petition of 4,410 signatures had also been submitted.

Comment:

Councillor Peter Spink spoke on behalf of Councillor Suzie Ellis as Local Member on this item.

The Chairman explained that he believed it was relevant to allow the Cabinet Member for Environment, Heritage and Waste Management to speak to the Committee regarding this application, Councillor Bacon was unable to attend, and his statement was read out by Mr Boulter Strategic Manager for Planning and Infrastructure Delivery.

The committee questioned the economic benefit to the Island if the development was approved, Planning Officers advised that the economic benefit would be at a national level and there would be only minimal local

benefit to the Island.

Concern was raised regarding the impact the development would have on local tourism locations around the site and the committee asked what weight had been given to tourism when reaching the recommendation. Officers acknowledged that the proposed development would be visible and look out of place, however the structure was temporary, and the land would be restored.

It was noted that the Local Planning Authority approval would be one of a number of approvals required for this development, other agencies such as the Environment Agency and Public Health England would be responsible for elements of the proposal.

Questions were raised regarding the number of vehicle movements on and off the site, and the impact this would have on an already busy route to the ferries, they were advised by the Island Roads representative that the number of vehicles would not significantly impact on the road network.

The Committee raised concerns regarding the impact of the development on the Island's biosphere status.

A proposal to refuse the application due to the impact on the character of the area, tourism due to the nearby cycle network, the road network, water quality, the environment (including climate change) and the lack of economic benefit to the island which was duly seconded.

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

RESOLVED:

THAT the meeting be extended by up to 30 minutes.

Planning Officers advised that the Local Plan does not provide guidance regarding local benefits of the application, however the National Planning Policy Framework (NPPF) states that great weight should be attached to minerals developments, including hydrocarbons. It was also highlighted that Island Roads had not objected to the application, and the road network was sufficient to take the additional movements on the local road network.

Officers also referred to the comments provided by statutory consultees in respect of impacts to ground water and ecology. Officers also highlighted a recent high court judgement relating to planning decisions and downstream environmental impacts relating to hydrocarbons.

The Chairman took an adjournment to allow officers to consider the

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

Following the adjournment officers read out the proposed reason for refusal and in accordance with the Councils Constitution a named vote was taken the result follows:

For (11)

Councillors, David Adams, Michael Beston, Geoff Brodie, Vanessa Churchman, Claire Critchison, Warren Drew, Chris Jarman, Michael Lilley, Martin Oliver, Matthew Price, Chris Quirk

Against (0)

RESOLVED:

THAT the application be refused.

Reason:

The proposed development would cause significant harm to the landscape and visual qualities of the surrounding rural area and thereby compromise the Island's tourism industry. The economic benefits of the proposed development would not outweigh the harm to the integrity of the Island's landscape and Biosphere status. SP4. SP5, DM2, DM12.

31. **Members' Question Time**

There were no Members questions.

CHAIRMAN

ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 16 NOVEMBER 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	21/00357/FUL	Parish: Freshwater	
	Land To The East Of Birch Close And North of, Solent Gardens, Freshwater.	Ward: Totland And Colwell	Conditional Permission
	Residential development comprising of 44 dwellings with access from Birch Close; access roads, parking and landscaping (revised drawings and corrected labels) (readvertised application)		
2	19/01544/OUT	Parish: Newport & Carisbrooke Community Council	Conditional Permission
	Land To The Rear of 162 To 182, Gunville Road, Carisbrooke.	Wards: Newport West/ Carisbrooke and Gunville	
	Demolition of workshops and yard; outline for proposed residential development and the means of access (additional information)(readvertised application)		

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Reference Number: 21/00357/FUL

Description of application: Residential development comprising of 44 dwellings with access from Birch Close; access roads, parking, and landscaping (Amended Layout, Revised Design, Updated Ecology Report - Archaeology Report) (readvertised application)

Site Address: Land to The East of Birch Close and North of Solent Gardens
Freshwater Isle of Wight

Applicant: Tallulah Estates Limited

This application is recommended for: Conditional Approval Subject to S106 Legal Agreement

REASON FOR COMMITTEE CONSIDERATION

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

MAIN CONSIDERATIONS

- Principle of the development
- Impact upon the character of the street scene and surrounding area
- Impact upon the amenity of nearby residential occupiers
- Highway considerations
- Ecology and trees
- Drainage matters
- Rights of way
- Environmental health and noise considerations
- Nitrates impacts on designated sites

1. Location and Site Characteristics

- 1.1** The application site is located north of Colwell, a coastal hamlet that comprises a mix of residential properties dating from the 19th Century. The site is positioned on the eastern side of Colwell Road and accessed via Birch Close. Additional new residential developments have occurred within the vicinity of Colwell Road recently, including the nearby larger developments of Meadows and Green Meadows, both west of the site.
- 1.2** The application site is located adjacent to Solent Gardens which is south of the development, and west of Heathfield Farm Camping Site. There is also a row of

bungalows to the west of the site, which front onto both Birch Close and Colwell Road. As such, existing built form can be noted on three sides of the proposed application site and in total the land equates to 1.52 Hectares.

- 1.3** The bungalows to the west of the site include shallow rear gardens that adjoin the western boundary of the site. The rear windows of that serve these properties aspect towards the site, which at this point is enclosed by low fences. The houses within Solent Gardens are aligned so that their main elevations face east and west, and therefore the gables of these two storey terraced houses face the site.
- 1.4** In terms of the characteristics of the site, the land rises notably in an easterly direction. Across the width of the site, the land rises by approximately 5 metres when considering the 110.00-metre width and in respect to the 165.00 metre length of the site, the land would vary between 3.00 and 4.00 metres in this instance. The site currently consists of overgrown farmland, with the boundaries formed of a mix of fences, trees and scrubby hedgerows.

2 **Details of Application**

- 2.1** The proposed development has been amended over the course of the application and the resulting proposal of 44 residential units is now presented. As a result, the density of the development would be 28.89 per hectare, as opposed to the previously calculated density of 32.64 dwellings per hectare.
- 2.2** The application consists of a variety of 1, 2, 3 and 4 bedroomed properties, with the density of properties favoured slightly within the southern section of the site. To the west of the site, chalet bungalows have been incorporated into the development through the submission of revised plans and the density and scale properties along this section of development reduced.
- 2.3** The proposed units would be developed off of Birch Close, and around a purpose built circulatory road. The majority of the central units would be formed out of two storey semi-detached pairs in which the dwellings would sit back-to-back, with a linear form of development to the south of the site, incorporating small, terraced rows. The sole apartment block would be located to the north of the site and would be finished to appear as a two storey dwellinghouse. A mix of semi-detached and detached three bedroomed chalet bungalows, with habitable rooms on the ground floor, would be located on the western section of the development.
- 2.4** The proposed units have been collectively designed to be set back from the new road system, allowing for open front curtilages, parking mainly to the sides of properties, with space for landscaping and street trees to be included.

3 **Relevant History**

- 3.1** No relevant history.

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.
- 4.2** 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.
- 4.3** 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.

Local Planning Policy

- 4.4** The Island Plan Core Strategy identifies the application site as being located adjacent to the defined settlement boundary and within the West Wight Smaller 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

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

DM14 - Flood Risk
DM17 - Sustainable Travel
DM22 - Developer Contributions

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.
- 4.9 LPAs Position Statement on Nitrogen neutral housing development.

Neighbourhood Plans

4.10 Freshwater Neighbourhood Plan

Policy FNP 6 (High Quality Development) of the Neighbourhood Plan requires the design, location and layout of all development to have regard to the distinctive character of the area, respect the local settlement pattern, protect and enhance landscape and biodiversity and conserve valued views.

Policy FNP 7 (Transport) supports development proposals that will promote, protect and maintain local footpaths and the cycle network. The policy also states that any new development that generates increased need for parking must provide a satisfactory amount of suitable off-street parking.

Policy FNP 12 (Natural Environment) requires all development throughout the Parish to protect and, where possible, enhance biodiversity and ecological networks including wildlife corridors such as hedgerows and water courses.

5 Consultee and Third-Party Comments

Internal Consultees

- 5.1 Island Roads have considered the proposal and confirm that subject to a number of conditions, the development would be acceptable.
- 5.2 The Council's Ecology Officer has recommended conditions, if approved, to secure the applicant's proposed ecological mitigation and enhancement for this site.

- 5.3** The Tree Officer has reviewed the application and considers that the management of existing trees to be acceptable and subject to street trees being incorporated into a landscaping plan, the development could be supported.
- 5.4** The Council's Archaeology Officer has considered the development and notes the features of the site and as a result recommends three planning conditions if the scheme is approved.
- 5.5** Environmental Health consider the development acceptable subject to a management condition for the site to be applied if approved.

External Consultees

- 5.6** Natural England have requested details of how the waste-water from the site would be dealt with. It should be noted that Southern Water have confirmed that waste-water would be directed to the Sandown Waste Water Treatment Plan.
- 5.7** Southern Water confirm that from their investigations that they can facilitate a connection to proposed development. Southern Water require a formal application for a connection to the public sewer to be made by the applicant or developer.
- 5.8** Hampshire and Isle of Wight Fire and Rescue have not objected to the development and confirm that the proposal should meet the requirements under Approved Document B, Vol 1 Section 13 of the Fire Authority's Views on Compliance with Part B Fire Safety.

Parish/Town Council Comments

- 5.9** Freshwater Parish Council have raised objection to the development on the following grounds:
- The density hasn't significantly reduced therefore the original comments still stand
 - The development doesn't meet the local housing needs
 - Site is within the Solent Nutrient Impact Area
 - This area of Colwell is known to be over sewer capacity already, leading to regular discharges of raw sewage into Colwell Bay
 - Questions whether this development would be truly nitrate neutral, regardless of any proposed mitigation measures or the assumption that the sewage in question would be treated at Sandown works
 - If lack of sewer capacity is not judged to be a material consideration in the determination of this application, the additional ecological impact of the proposed development would be

Third Party Representations

- 5.10** The following summarised 149 representations (due to the application being readvertised, some third parties have commented more than once) have been made on the proposal which has been readvertised three times over the course of the application.

- Overdevelopment of the land
- Density is too high
- Lack of privacy
- Drainage and potential flooding concerns
- Increase in traffic causing congestion, increase in construction traffic through Birch Close
- Implications for Birch Close residents, Birch Close will no longer be a Close
- Local objection- this being a major development
- Flats would increase the amount of people crammed into the site
- Flats are totally inappropriate/ out of keeping with other homes in the area
- Privacy issues for established residents
- This development would be overcrowded
- Potential for 120-200 new residents in this area
- Roofline of the new homes would be higher than existing properties
- Change to the vista would alter people's lives and the way they use their homes and gardens
- Parking concerns, adding to noise, pollution, parking need and safety issues
- There is only one GP practice-120-200 new patients for Brookside Health Centre would have a significant impact for the staff working there and for patients accessing treatment
- Lack of NHS and school facilities in the area
- Site is a natural green site
- Abundance of wildlife live, forage, or commute through it
- Several species of bat commuting and foraging on the site along with an exceptional population of slowworms
- Very rare species of wildflower have been noted on the site
- Up root slow worms
- Drainage network has been overwhelmed resulting in raw sewage overflowing onto Colwell Common
- New developments should not be permitted until this problem is overcome
- Mitigating and offsetting are not responsible for communities
- Highly unlikely that the homes would be affordable to local people
- Homes would be affordable and of interest to people seeking to purchase second homes or rentals
- The destruction of our much loved and valued local green spaces
- Government wants to end greenfield development
- Against Freshwater Neighbourhood Plan (objective 6)
- Drainage report is not up to date
- Not a clear assessment of the site
- Climate change would only make this situation worse
- Drains are old and not suitable for further development
- The proposed units are not sympathetic to the existing buildings nearby.
- The design of this development does not reflect that of the character of the local area
- The apartment blocks are not in keeping with the surrounding properties
- The revised plans do not address the issues
- Lack of privacy, overshadowing and an increase in noise pollution

- Overlooking windows would be against Human Rights Act
- Island Roads have identified and raised concerns regarding the safety risks of this proposed development, resulting in a long list of pre-conditions
- Developers remain to use some of the data from 2017
- 'Exceptional' population of slow worms (33 adults)
- Species protected under The Wildlife and Countryside Act 1981
- Light pollution- new properties and street lighting
- Two storey buildings when properties along Birch Close/ Colwell Road are bungalows
- Gardens would be overlooked
- Landscaping would need to be a high level and introduction of trees
- Emergency Services- would they be able to access the site?
- Site has a high-water table and is also clay
- Changes should be to bungalows and not chalet bungalows
- Land levels still cause problems
- If no parking is to be imposed on Birch Close- cause more parking on Colwell Road
- Double yellow lines also needed on Colwell Road
- Position of bins near to boundary
- How would the parking priority system be managed?
- Land ownership concerns on the entrance to the site
- The entrance is too small- no separate exit- harmful to existing residents
- Same problems as the Meadows development
- Conflict with the Draft Island Plan states: 4.80
- Next to another such field which has been described as suitable for development
- Contrary to the NPPF 174 and 179
- Conflict with UNESCO Biosphere status
- Freshwater is the 8th oldest village or town in England- development would attract elder people
- Not sustainable because there are not the jobs in this part of the island.
- Need more information on designated sites
- The area is already overdeveloped
- Do not need car dependent, low density, large scale housing estates on greenfield land that isn't built for Islanders
- Damage to tourism offer/appeal
- No open planning meetings to allow residents to review hard copies of documentation
- This is a small area of Freshwater- 164 new properties
- Nitrates
- Buses are finding using Colwell Road difficult due to the amount of traffic- this would add to the problem
- Only one access point to raise some crime/safety concerns
- Pressures to build new housing should not be at any cost
- No development until Southern Water improve/upgrade
- Residential amenity, now more than ever, has a significant and valuable
- Sits outside the West Wight Smaller Regeneration Area Settlement Boundary

- Urban sprawl
- Development does not respect local context
- Flood data needs to be more recent 2018 is not acceptable
- No development on Greenfields until improvements in flood risk made
- No more housing is needed in Freshwater: 538 houses in West Wight, Freshwater alone accounts for 390 of these
- No major developments should be added to the planning strategy that have not already been identified
- The proposal to develop this site is contrary to FNP12
- Would destroy beauty and character of the area
- Badgers are within the site
- Lack of affordable 1 or 2 bedroomed homes
- Rights of Way plans have not been shown- people can use this field for access
- Two of the new housing Developments haven't being fully occupied yet; i.e., Green Meadow- cannot identify the full impacts on drainage
- It floods during the winter and is not a suitable area for development
- Traffic plan is out of date- considerably more traffic
- Less properties still make the development overly scaled
- Freshwater population due to grow by 10% an astonishing rise due to new builds
- Yellow lines would not prevent parking
- Birch Close is on a bend, small pinch point entrance and exit for all the houses
- Birch Close serves five properties currently and this would considerably change
- Majority of the proposed sites in Freshwater are on green fields - contrary to the wants and needs of local residents and Freshwater Neighbourhood Plan)
- Build on brownfield sites
- Building properties which have been approved and yet are undelivered
- Regenerating areas such as Sandown and Newport
- Build for local needs only for the next 5 - 15 years
- Colwell has become overdeveloped
- Overlooking from two storey properties due to the topography of the land
- Shocking that new applications can cite existing residential developments such as Solent Gardens that will have been in a totally different era to justify their building density, likewise that Meadow Rise is cited to justify this development which suggest that any building application now submitted between here and Yarmouth will be destined for approval purely on the basis of what has been approved before, however long ago or more recent
- The land was part of a working farm
- Southern Water do not have capacity
- No continuous footpath- people expected to cross back and forth
- Limit mobility for people having to navigate the constrained pedestrian routes
- Bland, uniform, regular housing scheme

- No relationship with the semi-rural location
- Scheme is urban in design, high densities
- Luxury housing like this is not required
- Shortage of bungalows for older people
- Development should be a continuation from Solent View Road and not a development from Birch Close
- Green corridors have already been developed upon
- Endangered species are not being considered by planners and developers
- Community objection to this level should mean that local voices must be heard and respected
- Brownfield register is still being complete
- Pasture land is precious and irreplaceable

5.11 Robert Seely MP has objected to the development for the following reasons:

- The development will have a detrimental impact on the existing residents of Colwell Road, during both the build phase and thereafter.
- Residents of Colwell Road risk becoming overlooked given the proposed placement of houses to their east.
- Squeezing more and more houses into the few remaining green fields within our towns will destroy the quality of life that residents seek.
- The houses proposed are not for Islanders.
- They are predominantly 3- and 4-bedroom houses which the Island has in abundance.
- What we have a lack of on the Island are affordable 1- and 2- bedroom homes to accommodate Islanders young and old.
- We also need affordable homes.
- These are not affordable to Islanders who need homes.
- They are market houses targeted at people with money, likely those seeking to move to the Island as opposed to those already living here.
- The proposed application is the subject of a great amount of community objection from concerned residents. I feel strongly that local voices must be heard and respected in the planning process and, for these reasons, I hope that decision-makers will refuse this application.

5.12 The Badger Trust have made the following comments:

- The Ecological Appraisal was undertaken in 2017 and updated in 2018. [Officer comment - the report was updated in June 2021]. An updated badger survey needs to be undertaken before any planning decision is made to make sure that access routes from a nearby sett which was not identified in the Ecological Survey are not blocked by the development, so they maintain connectivity to existing foraging routes. [Officer comment - Details are updated in the Appraisal and conditions have been recommended to mitigate these issues].
- One of the proposed properties is proposed to be built quite close to where badgers are using a space underneath decking in a garden.
- We would also request that in the event that this planning application is approved it must be included into the planning conditions that during

development the areas identified as foraging corridors are kept clear from machinery and building materials and builders waste and are separated from the development. [Officer comment – The advised condition below would cover this request].

5.13 The Campaign for the Protection of Rural England made the following summarised objections to the development:

- Green space.
- Promote brownfield development as an alternative to the loss of greenfield space.
- More loss of the countryside on the Island.
- Local need. The majority of the proposed dwellings are 3- and 4-bedroom homes, which are not suitable for local families in the West Wight.
- Flooding and surface runoff.

On the basis of revised plans being submitted, CPRE provided the following comments:

- Welcomes the fact the developer has tried to overcome neighbour concerns by changing the plans and providing additional information.
- Number of houses within the plot is too large, and that this is the fundamental reason this application should not be approved.
- Plots 22,21,26,2,32 are still a significant concern- back-to-back distance, cramped, overlooking between the properties.
- The back-to-back distance is too close for a semi-rural setting.
- No. 32 is close to the neighbouring property in Birch Close
- Proposed would not overcome overlooking; this can only be overcome by significantly reducing the numbers of units on the site.
- Does not accord with the aims of the Core Strategy policy DM2.
- We do support the request of IR in improving links to public transport by creating new pavements.
- Improving pedestrian links into the nearby Solent Gardens estate, as this would make a safer walking route for residents from the site into Freshwater.

6 **Evaluation**

Principle

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. The Freshwater Neighbourhood Plan (FNP) covers the area of the application site but contains no policies directly relating to housing provision. The site is defined as being located immediately adjacent to the settlement boundary, and thus in a sustainable location for new housing. 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.

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 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.

- 6.8** 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.
- 6.9** In terms of sustainability, the development would be a short walk from the Colwell Baptist Church, the beach of Colwell for outdoor amenity space, and within a suitable distance to bus routes, mainly the No. 7 route which offers up to half hour services during the day to both Totland/Alum Bay and Newport. The service runs into the early evening, until approximately 8pm and therefore this can be considered a reliable service for public transport connections. The pavements in the area are overlooked by housing and well-lit and therefore, acceptable for pedestrians at all times of the day.
- 6.10** Furthermore, future occupiers of the site could access existing shops and facilities within The Avenue, such as the Co-Op within approximately a ten-minute walk, with other commercial and retail businesses located within this area. In addition to the closer facilities, within an approximate 15-minute walk, the local leisure centre would be accessible, as well as the local Sainsburys, Freshwater Church, Health Care Centre and amenities such as cafes and restaurants.
- 6.11** Therefore, the proposed housing would be considered sustainable in terms of proximity to existing services and the routes would be served by existing pedestrian links as well as bus services. On balance, given the surrounding facilities available, in an area predominately made up of residential units, this proposed development would help to support existing local infrastructure and amenities, with the ability to walk and use public transport to access facilities within the town of Newport and further in the West Wight area in this instance.
- 6.12** The Council's Housing Needs Assessment (HNA) undertaken in 2018 indicates the following figures for market housing for the West Wight are relevant to this proposal:
- 1-bedroom – 7%
 - 2 bedroom – 33%
 - 3-bedroom – 44%
 - 4-bedroom – 16%

In regard to affordable sale the following is applicable for the West Wight housing needs:

1-bedroom – 20%
2 bedroom – 40%
3-bedroom – 30%
4-bedroom – 9%

6.13 In terms of affordable rent, in which this development identifies 6 units of this nature, the following was identified in the HNA for this type of housing need:

1-bedroom – 23%
2 bedroom – 40%
3-bedroom – 33%
4-bedroom – 4%

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.

6.14 The housing mix for this development can be specified as the following:

- 2 x 1 bedroomed apartments (All affordable rent)
- 4 x 2 bedroomed apartments (All affordable rent)

- 14 x 2 bedroomed houses (2/14 affordable sale and 2/14 affordable rent)
- 12x 3 bedroomed houses (5/12 affordable sale)
- 7 x 3 bedroomed chalet bungalows (No affordable provision)
- 5 x 4 bedroomed houses (1/4 affordable sale)

6.15 The HNA states that within the West Wight there is need for larger 3 bedroomed properties, with less of a focus on 1 and 2 bedroomed units and there is an increase in the need for 2 and 3 bedroomed affordable units. The proposal demonstrates a total of 19, three bedroomed units and 14 two bedroomed units and therefore over 70 percent of the units offered are of the most commonly required housing type as identified within the HNA and would closely match the housing mix of the area identified by the HNA. The level of affordability would meet the 35% requirement for onsite delivery in relation to the aims of Policy DM4 of the Island Plan Core Strategy.

6.16 In terms of housing need, Freshwater Parish Council highlight that the Housing Needs Assessment of 2018, indicates that 68 dwellings are required per annum across the West Wight and that the likelihood is that the majority of the units would be accommodated within Freshwater. The need is considered to be for smaller homes and for older people. The proposal in this instance seeks to include a mix of housing sizes and styles, with the inclusion of smaller, affordable sale and affordable rent units.

6.17 On balance, the proposed 44 units are located in a sustainable area that is immediately adjacent to the settlement boundary, with supporting transport routes and amenities of Freshwater nearby. The housing mix is reflective of the housing required for the West Wight and across the Isle of Wight. Having due regard to the above the application is considered to be acceptable in principle.

Impact on the character and appearance of the area

- 6.18** Policy FNP 6 (High Quality Development) of the Neighbourhood Plan requires the design, location and layout of all development to have regard to the distinctive character of the area, respect the local settlement pattern, protect and enhance landscape and biodiversity and conserve valued views. Policies DM2 and DM12 of the Island Plan require development proposals to be of a high quality of design, to compliment the character of the surrounding area, and to conserve, enhance and promote the Islands landscape. It should be noted that policy SP1 also states that in all cases development on non-previously developed land will need to clearly demonstrate how it will enhance the character and context of the local area.

Landscape character and context of the Area

- 6.19** The application proposes development of non-previously developed land and as a result it is accepted that there would be a change to the visual appearance of the area. In order to consider the impact of this change, it is necessary to also consider the quality of the existing area. The site is an open field with few landscape features, the topography of the land is variable from east to west, whilst an open field, in places the parcel of land has become reflective of denser vegetation cover.
- 6.20** The site does not benefit from being in a conservation area, nor does the field have any formal public rights of way across the land which currently connects housing or provides usable outdoor amenity space for local residents. As highlighted, the site is not located within or in close proximity to any designated landscapes, and the site is partially visible from surrounding roads and from curtilages of existing residential properties, namely those along Colwell Road and Birch Close.
- 6.21** On consideration of the site, properties are in existence along the western, northern and southern peripheries of the site and as such views from existing public vantage points are somewhat modest and screened in an area in which residential housing, as existing, encompasses the site on three sides. Therefore, the expansion of further residential units as part of this application site, would be in a section of landscape which is located within a largely residential area, and therefore the proposed 44 units could be developed to appear in context with this characteristic.

Scale and Density

- 6.22** It is recognised that there are a range of properties in the area, and whilst the access may be off of Birch Close which includes bungalows, the development would be set back and amongst existing built form in the locality, which consists of a considerable degree of two-storey properties of the area.
- 6.23** Officers do not consider there to be a strong pattern of development, within the area, as there is a mix of styles and age of properties, and further to this, there is not considered to be a strong architectural merit to the surrounding streetscapes.

- 6.24** As such, an introduction of 44 units, set back from the dominance of the public realm, offering a design approach which is varied, but not overly dominant and jarring in their formation would be considered acceptable. The proposed scale and density would allow for a sympathetic cohesion between the proposed units, and importantly, the existing units in which these dwellings would be located adjacent to. As highlighted, the designs would be variable and thus not bland in their setting.
- 6.25** A significant proportion of the properties to be developed would be set back from the surrounding streetscene, with a proposed gradual increase in the height of properties within the development when reviewing the site from west to east and thus further away from the streetscene of Colwell Road and Birch Close.
- 6.26** As such, the proposed chalet bungalows to the west of the site would blend with the scale of the bungalows within Colwell Road and Birch Close, providing a suitable transition of scale while also allowing for a buffer between existing properties along Colwell Road and Birch Close to screen the two-storey development to a degree and also limit the dominance of the larger properties which are being proposed within the central and rear sections of the development.
- 6.27** Third party comments have stated that the site would be more suited to solely bungalows and not two storey housing. However, the NPPF advises that sustainable sites should be developed in an efficient manner and Officers consider that while a balance of housing types are required, bungalows are land dominant and therefore, the use of the whole site for these would prevent its efficient use. Whilst Colwell and Birch Close may benefit from a number of bungalows to some extent, the surrounding streetscene is nonetheless more fluid than this, and the design approach should be read to incorporate the wider streetscape as opposed to simply characteristics of the entrance/exit point of the site.
- 6.28** Therefore, the development would not solely be designed in terms of scale and density in the context of Birch Close, which is a small existing formation of properties in which these 44 units would be incorporated by the wider built form. Furthermore, for the size of the parcel of land available, the development of 44 units is not considered to represent an overdevelopment, as the proposed plans do not reflect a cramped density.
- 6.29** On the basis that there is a need to consider the built form which would surround this development, providing a sympathetic formation and ensuring a realistic balance of housing types are secured, this proposal meets this objective in relation to the aims of Policy DM2 of the Island Plan.
- 6.30** Third party comments have also stated that development should not be driven by the design and density of properties within Solent Gardens and that this scheme is too dense as a result of following the precedent pattern of development. Officers consider that the area, which is predominately residential would be suitable for the proposed scale and layout of properties. The housing to the south of the site, within Solent Gardens, is laid out in a dense manner. In addition,

housing within Colwell Road is laid out in a moderately dense manner. The site would strike a balance between the denser housing to the south and the more loosely laid out housing to the north and west and thus be an acceptable density and layout, considering the areas that have been left for landscaping and tree planting. Therefore, the additional units would be proportionate to the surrounding built form and would not appear at odds in the context of the surrounding area.

Design approach

- 6.31** As outlined previously, the layout incorporates a mix of property sizes and styles, with a notable focus on 2 and 3 bedroomed units to meet the findings of the HNA of the locality. The designs are variable, however, with focus on a mix of red brick and off-white render and slates to match the colour of the brickwork on some properties, the use of solely the redbrick on other units, as well as incorporating units which offer a pale grey render finish, combined with dark wood cladding. Therefore, there are specific 'design types' for the 2 or 3 bedroomed units, but the proposal offers modest and discrete changes across the site.
- 6.32** Whilst the elevations are to a degree variable, the internal design remains largely consistent between housing types. For instance, the units can be described to give the following design footprints:
- Two-bedroom houses would typically measure approximately 10.5 metres deep x 4.5 metres wide externally. Eaves would be circa. 5 metres and ridge height in the region of 9 metres.
 - Three-bedroom houses would typically measure approximately 9.3-9.5 metres x 6 metres. Eaves would be circa. 5 metres and ridge height in the region of 8.6 metres.
 - Four-bedroom houses would typically measure approximately 9.3-9.5 metres x 6.65 metres. Eaves would be circa. 5 metres and ridge height in the region of 8.6 metres.
- 6.33** Through the course of the application, and following negotiations with officers, amended plans have been provided, which now reflect a higher quality design approach; through the inclusion of seven detached and semi-detached chalet bungalows to the western boundary of the site and these have been further amended to improve their aesthetics. These alterations have also included improvements to the facades of these chalet bungalows, with the addition of more elevational detailing in respect of the materials. As such, the previous predominantly rendered units have been altered to higher design quality adding a sense of depth and variety to their individual and collective formation.
- 6.34** Additional detailing has also been provided on the flank elevations of properties which are dominant within the streetscene in order to break up the elevations and promote a high-quality finish.
- 6.35** The apartment blocks would contain 6 units and would be over a two-storey finish and, their appearance would be reflective in terms of mass, style and finish of a two storey dwellinghouse despite offering maisonette type accommodation. This design approach would add to the variety of properties available within the

development. Overall, the design would be in keeping given the mass and design of the apartments being similar to those of the two storey units with a finished height of between 9.00 and 9.40 metres.

- 6.36** The proposal has been amended over the course of the application to incorporate a greater degree of landscaping, with the inclusion of communal and street trees to meet the aims of the updated NPPF guidance issued in 2021. These would be secured via a planning obligation and be incorporated into the pavements and the highway and not solely gardens, to boost the amenity of the site and promote health and visual amenity in relation to the aims of the updated NPPF and the objectives of Policy DM2, DM12 and SP5 of the Island Plan Core Strategy and the requirements of the Neighbourhood Plan.

Impact on neighbouring amenity

- 6.37** The proposed residential development has been sympathetically designed in regard to the internal arrangement of the site. The units would be arranged to follow the circulatory arrangement of the site access road, with good space between active frontages. As such, with the incorporation of the road layout, landscaping and future street trees, levels of overlooking between the proposed houses would be minimised. The proposed separation distances between forward facing properties, chalet bungalows and units 26-31, would be adequate due to the staggering and positioning of the units, there would not be a harmful impact on privacy, amenity or light and would accord with the aims of Policy DM2 of the Island Plan Core Strategy.
- 6.38** Furthermore, the flank elevations have been largely designed to not incorporate first floor side windows, or to offer windows which would be used to serve bathrooms which, if concerned to cause a loss of privacy would be conditioned to be obscure glazed to protect amenity in the future in relation to the aims of Policy DM2 of the Island Plan Core Strategy.
- 6.39** The remainder of the units would offer suitable levels of spacing, and the associated outdoor amenity space would be proportionate to the size of the units and would not appear cramped or overly dense in this instance to result in a detrimental impact on amenity.
- 6.40** In respect of the relationship with existing properties within the locality, whilst third party comments raise concern over amenity, on a full assessment of the site and after revisions to the types of properties and their layouts being sought, impact on amenity is not considered to be to a harmful degree in the finalised plans.
- 6.41** For instance, changes to remove the apartment blocks on the entrance to the site and instead incorporate chalet bungalows have reduced perceived and actual levels of overlooking for existing properties in Birch Close. The bungalows have been criticised for offering a first-floor level, however, they have been designed to offer the majority of openings on their front elevations and thus reduce overlooking to the rear of the site.

- 6.42** The design would be subordinate to the wider housing context and due to separation distances the western units would now protect amenity. In addition, removal of a semi-detached unit adjacent to No. 38 Colwell Road has allowed for greater separate distances and protection of amenity in relation to the aims of Policy DM2 of the Island Plan Core Strategy.
- 6.43** In regard to the apartment block on the northern section of the site, concern has been raised by third parties that its design would result in overlooking and would be out of character. However, the unit, appearing as a terrace externally would be of a comparable height to the remainder of the two storey units and would be over two floors, offering three units on the ground and first floor. Therefore, the mass is not considered to be overly dominant in relation to existing properties, which are themselves two-storey.
- 6.44** Concerns have been raised in respect of overlooking and privacy, the closest two properties being named Redcroft and Alcester, and comments state that windows would overlook private amenity space. On consideration of the layout, the rear elevation of Redcroft would be approximately 36.00 metres from the side facing elevation of the apartment block. Furthermore, there would only be two windows on the side elevation on the first floor and therefore given the separation distance, set back of in excess five metres from the boundary, and the side profile of the building, it is not considered this design would result in a harmful impact.
- 6.45** In regard to Alcester, the rear elevation of the apartments would face the rear most section of the garden serving this property. Whilst this is private amenity space, the curtilage is extensive with some screening provided by boundary treatments to prevent harmful levels of overlooking. Comments refer to 12 overlooking windows, but half of the windows would be on the ground floor and thus not cause any overlooking, four of the windows would be set back approximately 8.50 metres from the boundary due to the shape of the apartment, with two windows located at first floor within 3.00 metres of the shared boundary.
- 6.46** However, on consideration of the size of the neighbouring property, this development being adjacent to the rear most section of the garden and the orientation of the building, Officers do not consider that this relationship would be harmful to amenity and subject to bathroom windows in this property being conditioned to be obscure glazed, the development is considered to be acceptable in relation to the aims of Policy DM2 of the Island Plan Core Strategy.
- 6.47** In terms of the construction phase, it is considered that any new development would be likely to result in some level of temporary impact upon neighbouring properties. However, it is considered that impact could be suitably controlled by a Construction Management Plan, secured by condition. This would allow the Planning Authority to control hours of working for all stages of the construction project in order to protect residential amenity, particularly during evenings and weekends and to secure suitable working practices for the site that would protect the amenity of nearby properties and uses.
- 6.48** Therefore, it is considered that the proposed development would not compromise the amenity of nearby existing properties or uses, as a result of the layout and

scale of the development. Therefore, the proposed development is considered to comply with the requirements of policy DM2 of the Island Plan.

Highway considerations

Overview

- 6.49** Birch Close is an unclassified public highway governed by a 30mph speed limit. It serves 5 dwellings, the site (being an open field) and connects to the A3054 via a conventional priority junction at its western extent. It has an average carriageway width of 5.5m with a 1.80m wide footway running along its entire length on its southern side. A small section of footway also runs around the radii of its junction with Colwell Road on its northern side.

External Layout and Accessibility- Birch Close

- 6.50** This proposal seeks to continue the road (Birch Close) and the footway that abuts its southern side into the site. At the immediate junction with Birch Close the onsite access road provides for a localised carriageway narrowing (3.70m) to allow for a priority flow system and single carriageway working and 2.0m wide footways on either side.
- 6.51** The carriageway narrowing also includes for a raised plateau to assist pedestrians crossing the access road with the layout ensuring that an adequate level of pedestrian and vehicle forward and junction visibility could be provided. Beyond the initial junction the onsite access road provides for an average width of 5.5m with abutting 2.0m wide footways and it is laid out in a loop to ensure that private and service vehicles may access and egress the public highway in forward gear.
- 6.52** Island Roads have considered the layout of the design and comment that in terms of its junction and daily vehicle flows, the proposal would provide a suitable means of vehicle access so as to enable private and service vehicles to access and egress the site. The consultee has further assessed the existing access from Colwell Road onto Birch Close, in which the above-mentioned access would be expanded from. In this instance, subject to the road being free from parked vehicles, then the access arrangement would continue to be suitable and supported. However, without further traffic management restrictions imposed, Island Roads raise concerns in respect to the current ability to park on Birch Close and if this was utilised the parking could limit the ease of access.
- 6.53** It is therefore recommended on highway safety reasons, that if the development was approved, a condition be imposed to secure a Traffic Regulation Order to allow for the installation of double yellow lines on the southern side of Birch Close. This is not only to ensure that vehicle and pedestrian visibility splays are free from obstruction, but to also ensure that adequate width is retained on this part of the highway network for means of vehicle access when considering the uplift in daily traffic movements that would be attributable to the development.

- 6.54** Whilst the application of a Traffic Regulation Order is separate to a planning application, and thus cannot be guaranteed and would be subject to consultation under its own process, there is need for its recommendation, as without the TRO being applied the Southern side of Birch Close would prevent service vehicles accessing the site. Without the TRO recommendation there is also concern for pedestrian safety whereby motorists may override the footway if parking is occurring on street in this location and compromise pedestrian safety as a result. Therefore, given the scale of the development and one access arrangement, Officers confirm that a condition for a TRO is recommended in this instance.

Internal site layout

- 6.55** Island Roads consider the internal layout to be acceptable on the basis that the average carriageway width would be 5.50 metres with associated 2.00-metre-wide footways. As a result, subject to onsite traffic calming measures being implemented, which would include raised plateaus and the provision of associated uncontrolled pedestrian crossing points within the footways, it is considered that all users of the road may safely cross and get out of the live carriageway.
- 6.56** As a result of the traffic calming measures, Island Roads confirm that the likely speed design would be 20mph and as a result, all vehicle access arrangements for individual properties should be reflective of visibility splays of 25.00 metres and 2.00 metres. The consultee confirms that on the design of the layout, this could be achieved, however, to ensure that boundary treatments and landscaping do not obstruct this ability, a pre-commencement condition would be recommended to ensure that this is delivered on site. As a result, it is considered that both on and off-site highway arrangements would be acceptable subject to compliance with conditions. The proposals would not compromise the free flow of traffic within the wider highway network. Therefore, the development is considered to comply with the requirements of policies SP7, DM2 and DM17 of the Island Plan and policy FNP 7 of the Neighbourhood Plan.

Ecology and trees

Ecological considerations

- 6.57** The original submission was supported by an Ecological Appraisal report which was updated in 2018 and on the basis that the land comprises of grassland, scrub and woodland, the Ecology Officer confirmed that a further updated report would be required in order to fully review the constraints of the site. As such, an updated ecological appraisal (LC Ecological Services, June 2021) has been submitted. This builds upon comprehensive surveys previously carried out at the site and an assessment concluding a suite of mitigation and enhancement measures are recommended. The report includes that the site offers a 'moderate quality foraging habitat.'
- 6.58** The main findings of the survey demonstrate a range of existing and nearby habitats, including eight species of bat, and that the majority of the wildlife activity was identified within the hedgerows and boundaries of the site. These natural boundaries as existing are proposed to be retained as part of the proposed

development.

- 6.59** The findings further conclude that lighting would need to be sensitive to preserve wildlife due to the presence of bats within the vicinity. As part of the development 25 bat boxes are proposed and a condition would be recommended to secure their future details in terms of heights and size for suitability. Furthermore, a lighting condition would be recommended to ensure that sensitive lighting is used in the development. Other proposed measures include retention of boundary vegetation, enhancement planting and installation of bird boxes and these measures would be secured via condition.
- 6.60** The development would be secured by condition to ensure that mitigation as demonstrated within the findings would be adhered to. This would include the onsite use of 'drift fencing' to allow connectivity within the site.
- 6.61** The Ecology Officer is satisfied with the findings and recommendations within the Ecological Appraisal, and subject to the enhancement measures set out within the report being secured by condition and on the basis that measures to conserve populations of slow worm are presented and include translocation to a site near Porchfield via Section 106 Legal Agreement, the Officer has raised no objection. The Ecology Officer advises that a condition requiring a biodiversity mitigation schedule and plan is provided, which would set out a timetable of works and adhere to methodologies outlined within the submitted appraisal. As a result, it is considered that the proposals would meet the overarching aims of Policies SP5 and DM12 of the Island Plan Core Strategy and policy FNP 12 of the Neighbourhood Plan.

SPA Buffer Zone

- 6.62** In addition, the site is located within the 5.6km of the Solent and Southampton Waters SPA/ Ramsar site. This area is important habitat for a range of wildfowl, which use areas close to the northern shoreline of the Island for shelter and feeding during the winter. However, evidence shows that recreational activity on designated areas (and supporting habitats) can cause disturbance to wildfowl and therefore have an adverse impact on bird populations. To mitigate for such impacts, Natural England and a range of other bodies including the Council have devised a means of mitigation known as the Solent Disturbance Mitigation Project (SDMP).
- 6.63** The project would provide the following elements:
- A project officer to oversee and co-ordinate across the Special Protection Areas and to oversee the rangers
 - A team of rangers who will work on the ground at European sites to reduce disturbance levels and initiate specific measures at the sites to reduce disturbance levels
 - a Coastal Dog Project; and
 - a monitoring scheme

The Bird Aware Solent guidance for the Solent Recreation Mitigation Strategy

states that developments of one or more dwellings will be required to provide financial contributions towards the Strategy. The contribution for the SPA would be secured via S106 Agreement in this instance.

Trees

- 6.64** The Tree Officer has been consulted on this development throughout the application and original comments confirmed that trees of any amenity value are in this instance located around the perimeter of the site. The existing trees add to the verdant character and setting of the area and as such, any development would need to ensure that there would not be an adverse impact on these characteristics.
- 6.65** The supporting tree report in this instance confirmed that the trees around the site would not be adversely impacted, apart from the trees identified as T1 and T2, an oak and a lime, neither of which are protected. In respect to T1, whilst the Root Protection Area could be compromised as a result of the development taking place, it is considered that sympathetic methodologies and the use of a cellular confinement system would be suitable in this instance.
- 6.66** Turning to T2, the Tree Officer identified that the development of Plot 1 would be impacted in terms of shade and thus future amenity for future occupiers of this unit. However, the tree is identified to fall outside of the redline plan of this development, which gives a concern over the arrangements for the future management of the tree. However, a signed letter has been received from the landowner of the lime tree, stating that due to its health it would be developed into a sculpture and chemically killed off to prevent further regrowth, which was raised as a concern from the consultee in the long term as simply turning the tree into a sculpture would not prevent the regrowth and reoccurring shade issues in the future.
- 6.67** Therefore, on the basis that this element has been resolved, the sole outstanding issue to be addressed would be that of updated NPPF guidance, in respect to paragraph 131, which requires the inclusion of street trees. Whilst a landscaping plan has not been depicted in detail for this proposal, a further layout plan has been provided showing the siting of trees within the development. However, as submitted these have been shown with private amenity spaces and there would be a greater need for communal trees, incorporating into common areas of landscaping and pavements for example.
- 6.68** As such, a pre-commencement condition, as per the general landscaping of the site, would be required which would allow for the details of the further street trees to be incorporated into the site to be considered. A planning condition in this instance would need to allow for details to be provided in terms of the species, size and position of the street trees, how their management would be achieved in terms of health and growth and how materials for hard landscaping would be collaborated to ensure that damage is not carried out to footpaths for example within the site.

- 6.69** As a result of the Tree Officer's comments it is considered that the proposed development would not compromise the longevity of high amenity trees and therefore comply with the requirements of policy DM12 of the Island Plan.

Archaeological impacts

- 6.70** The Archaeology Officer confirms that subject to conditions, the archaeological features of the site can be protected. During the course of the application, an archaeological desk-based assessment has been carried out to assess the archaeological potential of the proposed development. The assessment concludes that there is a moderate potential for archaeological deposits of prehistoric, to Romano-British date, and a low potential for deposits of early medieval, medieval and post medieval date.
- 6.71** The Officer confirms that previous impacts on the archaeological potential are likely to be relatively limited and therefore deposits should survive. The assessment has suggested that trial trench evaluation and possibly geophysical survey would be suitable evaluation methods to identify any sub-surface archaeological deposits to inform a suitable mitigation strategy, and this process could be secured by condition.
- 6.72** On this basis the Archaeology Officer recommends a pre-commencement condition relating archaeological trial trench investigation, the results of which will inform any further mitigation which may be required, as well as conditions in relation to both the implementation of an appropriate programme of archaeological works and notification to be issued to the consultee for the commencement of works on site. On the application of these conditions the consultee is satisfied with the proposal in relation to the aims of Policy DM11 of the Island Plan Core Strategy.

Drainage/ flooding

- 6.73** The application site is identified as being situated within flood zone 1 and therefore at a low probability of flooding during a storm event. The site is underlain by the Headon Hill formation bedrock, which is relatively impermeable due to the high clay content within soils. As a result, the applicant's drainage information advises that the use of natural infiltration for surface water would not be appropriate and Officers agree with that conclusion.
- 6.74** Because there are no watercourses close to the site, the drainage strategy proposes to discharge surface water to the combined sewer. Two below ground storage tanks would be installed at the site and these would store storm water and then release it at a controlled rate, to prevent inundation of the system. The flow rate would be adjusted to manage any discharge flows to mimic greenfield run off rates plus the requirement for climate change (+40%). It is noted that comments have referred to the site being boggy during rainfall, however the development would include a surface water drainage system to ensure that water would be collected and disposed of in a manner to prevent flooding.

6.75 In terms of foul water, the information confirms that this would be directed to the mains system and then be treated at the Sandown Waste Water Treatment Plant. Southern Water have raised no objection to the scheme, confirming that connection to the public sewer can be undertaken and therefore, have advised that informatives and conditions are applied.

Public Rights of Way

6.76 On review of the constraints of the site and on consultation with the Public Rights of Way Manager, the parcel of land does not currently benefit from any formal pedestrian links or footpaths, although some third-party comments have stated that the land has been used a walking space historically and that the development would prevent the use of the land in this manner going forward. Nonetheless, as identified there are no formal routes over the land and there are not any recorded public rights of way.

6.77 A palpable link would be through to the road “The Sheilings” but this does not appear possible on maps due to due existing housing and therefore, without the applicant having control over land which adjoins an adopted footway, Officers cannot identify how any through paths could be secured here. Therefore, whilst the development would not result in the distribution/loss of an onsite public footpath, the proposed development has the potential to put some pressures on existing public rights of way networks, the closest being Public Footpath F13a and others within a nearby vicinity.

6.78 Therefore, a suggestion of £20,000 has been made for the consultee to cover ongoing improvements to the network and this has been agreed, and this would be secured via S106 Legal Agreement if the development is approved in this instance.

6.79 Further to the above, Public Rights of Way (PRoW) officers later commented that the development could benefit from offering internal connections within the site. They also highlighted how the development could be linked through on the southern section of the site to the existing Council owned green which fronts properties of Solent Gardens.

6.80 As such, an opening would be required within the site as opposed to the currently presented shared pedestrian and vehicular access from Birch Close. This could be potentially feasible, with slight amendments to the boundary and the layout of the curtilage of Plot 1 to facilitate this opening for pedestrians only. However, there were concerns held by Officers that this would not improve connectivity to an effective level and that in requesting this on-site alteration, could result in the reduction of the agreed contribution for existing off-site improvements which would be more suitable and sustainable in this instance.

6.81 This conclusion was reached on the basis that although the PRoW comment that pedestrian links via Solent Gardens and the surrounding residential roads could provide for a quieter road for pedestrians, on assessment, the reality would not significantly reduce time travel into the centre of Freshwater, and by taking this route it would not provide access to amenities, with the link being into a residential

development.

- 6.82** Therefore, utilising Birch Close and Colwell Road is deemed to be suitable, and if pedestrians choose to do so they can divert into the nearby estate to walk into The Avenue for instance and thus this further link would not significantly improve time or safety and thus these further amendments have not been requested by Officers at this time. The development as it stands is considered to meet the aims of Policies DM2 and DM17 of the Island Plan Core Strategy.

Environmental health and noise considerations

- 6.83** On consideration of the scale and proximity to neighbouring properties in this instance, Environmental Health have been consulted on this development and confirm that in relation to the Professional Practice Guidance on Planning and Noise for new residential development (May 2017), do not consider that an initial site noise risk assessment is required for this development.

- 6.84** The site is at least 30m from a single carriageway and a 30mph limit road and therefore it is anticipated that this would not result in a significant level of noise that would adversely affect the proposed development. Additionally, there are no other sources of transport or industrial/commercial noise within close proximity of the site that are likely to adversely affect the proposal. As such, whilst no objection is raised in this regard, on consideration of the proximity to existing residential units, a suitable condition relating to the construction activities would be required, this would cover the following elements:

- procedures for ensuring compliance with statutory or other identified noise control limits,
- procedures for minimising the noise from construction related traffic on the existing road network,
- procedures for ensuring that all works are carried out according to the principle of 'Best Practicable Means' as defined in the Control of Pollution Act 1974,
- general induction training for site operatives and specific training for staff having responsibility for particular aspects of controlling noise from the site,
- a noise and vibration monitoring / auditing programme, particularly during any piling operations,
- liaison with the Local Authority and the community; and
- the adoption of 'Best Practicable Means' and compliance with recommendations as described in BS 5228:2009.

Nitrates impacts on designated sites

- 6.85** Natural England has published standing advice relating to issues of high levels of nutrients within the Solent water environment, which have resulted in dense mats of green algae in coastal areas. The Southampton and Solent Water Special Protection Area (SPA) is an important habitat for protected species of birds, which use the coast for feeding. Natural England's concern is that the nutrients levels have resulted in algae in coastal areas, which prevent protected species from feeding. Natural England's standing advice is that these issues are caused by

wastewater from housing and agriculture.

6.86 Natural England's current advice is that development should not add to existing nutrient burdens on designated sites and thus, achieve nutrient neutrality. In respect of the Island, this can either be achieved through draining development to the Waste Water Treatment Works (WWTW) at Sandown (which discharge away from the Solent) or to impose conditions that require the developer to demonstrate nutrient neutrality.

6.87 In this case, Natural England have commented that additional information should be requested if the development would result in the discharge of effluent into protected sites. However, as outlined in detail in the drainage section, foul water for this development would be discharged to the public sewer, which would be served by the Sandown WWTW. As a result, the Council's Ecology Officer has confirmed that no further mitigation would be required, and Natural England confirm that the development would be screened out of further assessment in regard to the Habitat Regulations Assessment (HRA). Therefore, Officers consider that a Grampian style condition should be imposed to secure the proposed sewer connection.

7 Conclusion

7.1 The proposed development would provide much needed housing within an established residential and suitably sustainable location, also contributing to the delivery of affordable housing and a suitable mix of unit sizes and tenures. The positioning and layout of the development would minimise the impact on the character of the area and the design of the proposed development and landscaping are considered to be acceptable.

7.2 The wider scheme would require some changes to the surrounding highway network, but it is considered that these changes would benefit occupiers of the site and the surrounding residential units and could be achieved through the use of pre-commencement conditions.

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.

7.4 While the proposals would result in change to this parcel of land, given the contained nature of the site, surrounding existing built form and overall location, the proposed development would be sympathetic in terms of its design, scale and positioning, with the retention of natural boundary treatments and hedgerows the site through additional landscaping and street trees would protect amenity. The development would also be seen in the context of an existing cluster of development. As a result, it is considered that the proposed development accords with the guidance contained within the NPPF and the Island Plan Core Strategy, and the Freshwater Neighbourhood Plan.

8 Recommendation

Conditional permission subject to a Section 106 Agreement to secure the following:

- Affordable Housing (35%)
- Mitigation payments to the Solent Protection Area, in accordance with the Bird Aware Strategy.
- Provision Public Rights Contribution of £20,000
- Translocation of protected species of Slow Worms

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/revised plans and updated reports being submitted through the course of the application which has overcome the Council's concerns.

Conditions

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

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

2. Except for the requirements of the conditions on this decision notice, the development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered below:
 - Units 1 & 2 Drawing No. 020 01. Sept23
 - Units 3 & 4 Drawing No. 020 01. Sept005
 - Units 5 & 6 Drawing No. 020 01. Sept004
 - Units 7 & 8 Drawing No. 020 01. 007
 - Unit 9 & 10 Drawing No. 020 01. Sept15

- Units 11, 12 & 13 Drawing No. 020 01. Sept12
- Units 14, 15 & 16 Drawing No. 020 01. Sept13
- Units 17 & 18 Drawing No. 020 01. Sept16
- Units 19 & 20 Drawing No. 020 01. Sept17
- Units 21 & 22 Drawing No. 020 01. Sept006
- Units 23 & 33 Drawing No. 020 01. Sept18
- Unit 25, Drawing No. 020 01. Sept22
- Units 26 & 27 Drawing No. 020 01. Sept01
- Units 28 & 29 Drawing No. 020 01. Sept02
- Units 30 & 31 Drawing No. 020 01. Sept003
- Revised Unit 32 Drawing No. 020 01. Sept009
- Revised Unit 33, Drawing No. 020 01. Sept11
- Revised Units 34 & 35 Drawing No. 020 01. Sept10
- Units 36 & 37 Drawing No. 020 01. Sept07
- Revised Unit 38 Drawing No. 020 01. Sept008
- Apartments 39-44 Drawing No. 020 01. Sept19
- Proposed Site- Drawing No. Plan-Levels SEPT20D
- Block Plans 20.01. BL1SEPT21B
- Tree Survey Plan DRAWING NO: AS/RB/0920 TSP
- Tree Constraints Plan DRAWING NO: AS/RB/0920 TSP Rev A
- Arboricultural Report DRAWING NO: AS/RB/0920 TSP Rev
- Ecological Appraisal and Phase 2 Surveys Updated June 2021
- Archaeological Desk-Based Assessment June 2021

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 part of the buildings hereby approved shall be constructed above foundation level until details of the materials and finishes including the colour of cladding, roofing materials and other external finishes to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

Reason: In the interests of maintaining the amenity value of the area and to

comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

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

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

6. No external hard surfaces for the development hereby approved shall be constructed above foundation level until details of the materials to be used for external hard surfaces 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.

7. No dwelling hereby permitted shall be occupied until the parts of the service roads and footways which provide access to it and the road layout allowing for the access / egress / and circulation of private motor vehicles and service vehicles so they may enter and exit the public highway in forward gear have been constructed surfaced and drained in accordance details which have been submitted to and approved by the Local Planning Authority based on the principals of the layout as detailed on drawing no. LEVELS Rev 001B dated Feb 2021 and 020.01BL1A dated Sept 2020.

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

8. Development shall not begin until details of traffic calming measures taking the form of raised plateaus within the extent of the road layout as detailed on drawing no. LEVELS Rev 001B dated Feb 2021 and 020.01BL1A dated Sept 2020 to restrict vehicle speeds within the site to circa 20mph and a program for their implementation have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, and the measures shall be completed before the occupation of any part of the development or in accordance with the agreed programme and be retained thereafter.

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

9. Development shall not begin until details of the sight lines to be provided at the junction of each of the proposed vehicle accesses and the onsite road network based on the principals of the road and access layout as detailed on drawing no. LEVELS Rev 001B dated Feb 2021 and 020.01BL1A dated Sept 2020 so as to be reflective of a 20mph environment have been submitted to and approved in writing by the Local Planning Authority and the development / associated dwelling(s) shall not be occupied until those sight lines have been provided in accordance with the approved details. Nothing that may cause an obstruction to visibility shall at any time be placed or be permitted to remain within the visibility splays shown in the approved sight lines.

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

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 based on the principals of the layout as details on drawing no. LEVELS Rev 001B dated Feb 2021 and 020.01BL1A dated Sept 2020; and the dwellings 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. No development shall take place until a Traffic Regulation Order has been secured from the Local Highway Authority for the implementation of double yellow lines on the southern side of Birch Close about its junction with the site access and its junction with Colwell Road and on Colwell Road about its junction with Birch Close; and the development hereby approved shall not be occupied until the resultant on-street parking restrictions have been implemented.

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 development hereby approved shall not be occupied until the highway improvements as detailed below have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority:

- Remodeling of the existing footway and kerb line adjacent to the south bound bus stop on Colwell Road to the south of Birch Close.
- The remodeling of the existing footway, kerb line and bus shelter to include for the provision of a new shelter on Colwell Common at the north bound bus stop on Colwell Road to the south of Birch Close.
- The provision of a pair of uncontrolled tactile pedestrian crossings at the junction of Martine Close with Colwell Road.
- The remodeling of the Colwell Lane / Silcombe Lane/ Princes Road junction to include for the uncontrolled pedestrian crossing facilities. It is anticipated that

these works would take the form of uncontrolled pedestrian crossing point across each road. This will improve accessibility for all user groups into the town.

- Remodeling of the existing highway verge on the northern side of Colwell Road from the site of Kitts Cottage through to the northbound bus stop to provide for a 2.0m wide bituminous footway and all associated works (circa 100 linear meters).

The improvements shall be carried out in accordance with the agreed details prior to the occupation of the dwellings hereby permitted.

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 dwelling hereby permitted shall be occupied until space has been laid out within the site in accordance with the ratios as required within Table 1 of Appendix 1 of the Local Authority Guideline for Parking Provision as Part of New Developments SPD January 2017 drawing in accordance with details that have been submitted to and approved by the Local Planning Authority in writing for cars to be parked based on the principals of the layout as detailed on drawing no. LEVELS Rev 001B dated Feb 2021 and 020.01BL1A dated Sept 2020. 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.

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

- Steps to prevent material being deposited on the highway as a result of any operations on the site in connection with the approved development. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development. Any deposit of material from the site on the highway shall be removed as soon as practicable by the site operator.
- The parking, loading, unloading, circulation and turning off all construction vehicles to include for operative vehicles within the confines of the site throughout the build process.
- Should outline measures to prevent impacts on nearby properties, including hours of working, storage areas for plant and machinery and parking and access arrangements for construction vehicle

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.

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.

15. No new roads, footways, accesses or car parking areas shall be constructed until details of the design, surfacing and construction of any new roads, footways, accesses and car parking areas, together with details of the means of disposal of surface water drainage there from based on the layout as detailed on drawing no. Proposed Site, Sept20D- Issue 18A 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 highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

16. No dwelling shall be occupied until the parts of the service roads which provide access to it have been constructed surfaced and drained in accordance with details which have been submitted to and approved by the Local Planning Authority based on the layout as shown on drawing no. Proposed Site, Sept20D- Issue 18A Development shall be carried out 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.

17. 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 and street trees to be included in the development. 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.

18. 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 19) 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.

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

Reason: To avoid impacts to, and to ensure the favorable 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.

19. Development shall be carried out in accordance with the mitigation and enhancement measures set out in the Preliminary Ecological Appraisal, dated June 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.

20. 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 then amenity in

compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

21. Prior to commencement of the development, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development and shall manage Heavy Goods Vehicle (HGV) access to the site. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority. The details of the CEMP should include:

- procedures for ensuring compliance with statutory or other identified noise control limits,
- procedures for minimising the noise from construction related traffic on the existing road network,
- procedures for ensuring that all works are carried out according to the principle of 'Best Practicable Means' as defined in the Control of Pollution Act 1974,
- general induction training for site operatives and specific training for staff having responsibility for particular aspects of controlling noise from the site,
- a noise and vibration monitoring / auditing programme, particularly during any piling operations,
- liaison with the Local Authority and the community; and
- the adoption of 'Best Practicable Means' and compliance with recommendations as described in BS 5228:2009.

If piling is proposed, the CEMP the following would also be required:

- A scheme for the proposed method of piling to be employed,
- An explanation of the methods of installation of piles,
- Appropriate justification for the method proposed,
- An explanation of why other methods are not technically feasible.

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.

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

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record in accordance with Policy DM11 of the

Isle of Wight Council Island Plan Core Strategy.

23. No development shall take place until:

a) the applicant or their agent has secured the implementation of an appropriate programme of archaeological works in accordance with a Written Scheme of Investigation which has been agreed in writing by the County Archaeology and Historic Environment Service and approved by the planning authority. The development shall be carried out in accordance with the agreed details. **OR**

b) the County Archaeology and Historic Environment Service has agreed that no further archaeological mitigation is required

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.

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

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

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

25. 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 Wastewater Treatment Works (WWTW) that will treat drainage from the development. Development shall be carried out in accordance with the approved scheme, which shall be completed prior to the occupation of the houses hereby permitted and be retained thereafter.

Reason: To ensure that the site is suitably drained, to 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.

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

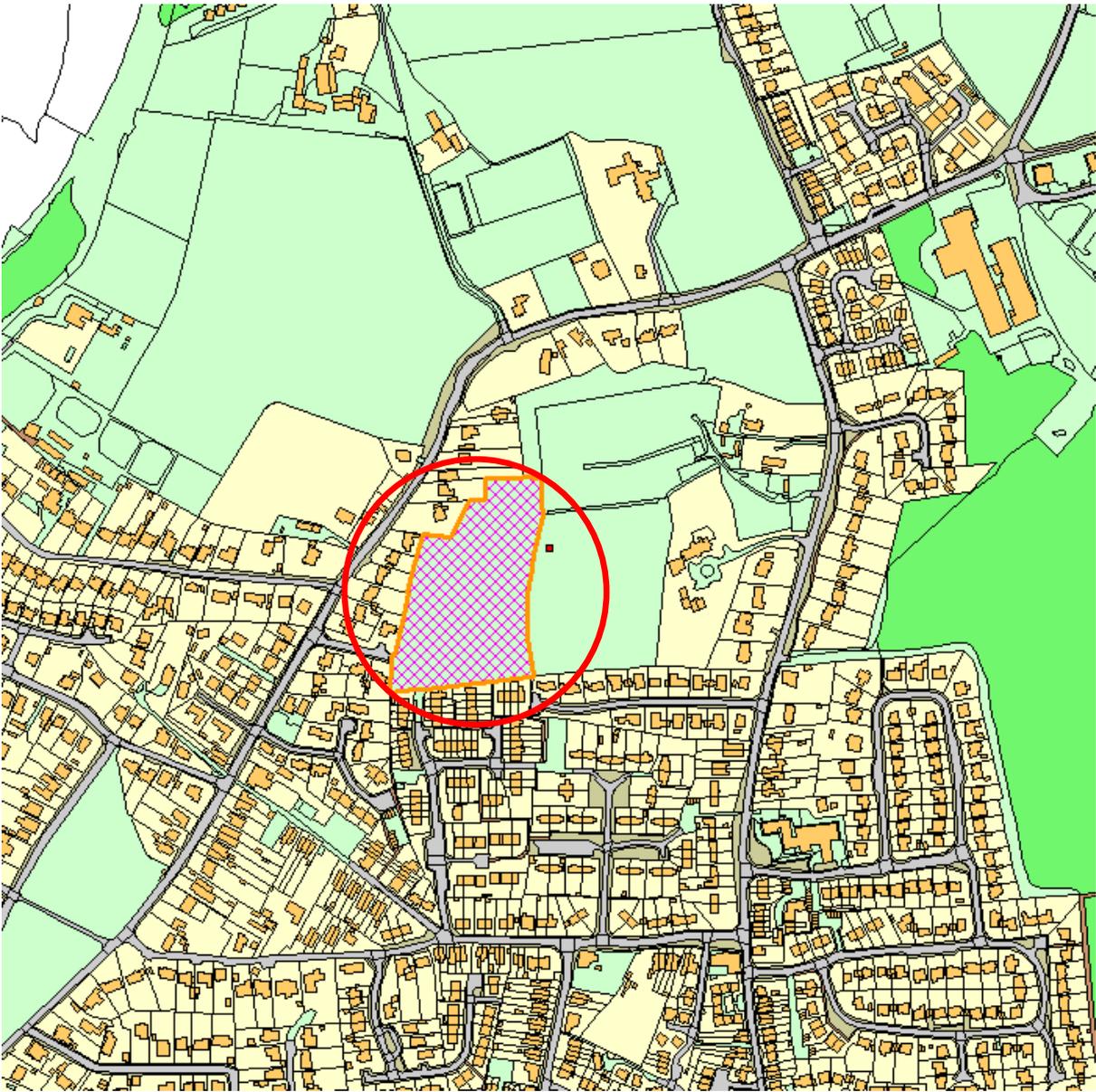
Reason: To protect visual and residential amenity in accordance with the aims of Policy DM2 (Design Quality for New Developments) of the Island Plan Core Strategy.

27. 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 additional windows/ dormer windows shall be constructed within the dwellings hereby approved.

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

28. Prior to the occupation of the dwellinghouses hereby approved, the first floor window on Plots 1, 7, 8, 9, 17, 18, 19, 20, 21, 22, 25, 26,27, 28, 29, 32, 33 and 39-44, as shown on the submitted plans serving bathrooms shall be fitted with obscure glass with a glass panel which has been rendered obscure as part of its manufacturing process to Pilkington glass classification 5 (or equivalent of glass supplied by an alternative manufacturer), of which the cill of the only opening section shall be 1.7m above finished floor level. The window shall be retained to this specification hereafter.

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



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Reference Number: 19/01544/OUT

Description of application: Demolition of workshops and yard; outline for proposed residential development and the means of access.

Site Address: Land to the rear of 162 to 182 Gunville Road, Carisbrooke, Isle of Wight

Applicant: Gallantgreen

This application is recommended for: Conditional permission, subject to a legal agreement

REASON FOR COMMITTEE CONSIDERATION

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

MAIN CONSIDERATIONS

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

1. Location and Site Characteristics

- 1.1** The application site is an area totalling 3.34 hectares located to the rear of properties fronting the eastern side of Gunville Road.
- 1.2** The site consists of 0.19 ha of Previously Developed Land (PDL) (otherwise known as brownfield) and 3.15 ha of Non-Previously Developed Land (otherwise known as greenfield). The PDL element of the site includes a workshop and external yard, located on part of the boundary of the site. It is currently accessed by a track between No. 146 and No. 152 Gunville Road. The remaining part of the site is an open field and spans to the east and north of the PDL.
- 1.3** The area surrounding the site is a mix of residential, commercial and educational land. The land to the east is part of Carisbrooke College (the former Carisbrooke High School) specifically playing fields, properties fronting Gunville Road are situated to the west and land to the south and north is undeveloped fields.

- 1.4 The site is reasonably level in topography. The adjacent land to the south rises to the south, while the adjacent land to the north falls to the north. The boundaries of the site are delineated by hedgerow and trees.
- 1.5 The scale and form of existing residential development is predominately two storeys. The appearance of these dwellings varies but is generally traditional in design terms, with long gardens. The land to the far south is commercial, including Home Bargains and Parlex, these latter two being large more industrial scale buildings.

2 Details of Application

- 2.1 The application seeks outline residential consent on the land served off Gunville Road, Gunville, Newport, with all matters reserved but access.
- 2.2 The proposed access would be created off Gunville Road between properties 162 and 156 Gunville Road.
- 2.3 As this is an outline application no details have been provided in respect of design or layout, but wireline sections have been submitted to show how an appropriate scale would be achieved and regulating plans indicating those areas of the site which would be set aside for ecology, open space and development.
- 2.4 The supporting information, specifically the transport assessment and application forms have indicated 117 and 115 units respectively, but this is not the specific number being applied for but would represent a maximum.

3 Relevant History

- 3.1 None relevant to this application.

4 Development Plan Policy

National Planning Policy

- 4.1 The National Planning Policy Framework (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. The application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the NPPF taken as a whole.

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

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

Local Planning Policy

4.3 The Island Plan Core Strategy defines the application site as being partly within and immediately adjacent to the settlement boundary. 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
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM13 Green Infrastructure
- DM14 Flood Risk
- DM17 Sustainable Travel
- DM22 Developer Contributions

4.4 Affordable Housing Contributions (SPD) (2017)

4.5 Bird Aware Solent Recreation Mitigation Strategy (2018)

4.6 Guidelines for Parking Provision as Part of New Developments (SPD) (2017)

4.7 Guidelines for Recycling and Refuse Storage in New Developments (SPD) (2017)

5 Consultee and Third Party Comments

Internal Consultees

5.1 The Council's Ecology Officer has recommended the proposed mitigation measures are secured in full if planning permission is granted.

5.2 The Council's Tree Officer has confirmed that the site could be developed with limited impact on trees, but any detailed application would need to be supported by a more detailed tree report to ensure that the final layout does not impact on trees. It is also recommended that an appropriate condition is included to ensure that landscaping of the site complements the wider environment.

- 5.3** The Council's Archaeology Officer originally commented requesting that additional survey works were undertaken. Following the submission of additional information further comments have been received confirming that there are unlikely to be any features of archaeological interest on site and therefore no objections are raised in respect of the proposed development.
- 5.4** The Council's Environmental Health Officer has recommended conditions in respect of a contamination report, should permission be granted.
- 5.5** The Council's Rights of Way Manager has commented that in addition to securing funds by way of a s106 agreement towards the Gunville to West Wight cycle track, it is considered important that any development at this site provides for shared use paths which could connect to adjacent IWC/School land to the east. Consideration has been given in the past to creating a route inside the northern boundary of the playing fields to link to public right of way N54 which would provide further sustainable transport options.

External Consultees

- 5.6** Southern Water have identified the presence of a water main within the development site, highlighting the need to determine its exact position prior to the layout being finalised. They request a condition to agree measures to protect the public water supply main. They further advise that a formal application for connection to the public foul sewer would need to be made by the applicant to Southern Water and therefore request an informative in this regard.

Parish/Town Council Comments

- 5.7** Newport and Carisbrooke Community Council have objected to the proposal on the grounds of an over dense proposal. The Council raised objection to the proposed access when taking into consideration existing applications in the area onto a road which already has issues.

Third Party Representations

- 5.8** 14 third party letters of objections have been received, the content of which can be summarised as follows:
- Increase in traffic using Gunville Road.
 - No proposal for a pedestrian crossing.
 - Would result in too many new dwellings in Gunville, when combined with other applications/developments.
 - Pollution.
 - Noise from cars.
 - Pedestrian safety.
 - Doctors, schools, clinic and shops should be included, if looking to build a new town.
 - Inadequate road infrastructure.
 - Inadequate sewerage capacity.

- Insufficient information on surface water.
- Increase capacity to local schools would be required.
- Insufficient capacity at doctors/hospital etc.
- Traffic assessment does not account for increases in traffic associated with Home Bargains, as it is too old. The traffic assessment is therefore out of date.
- Impact on tourism from loss of green fields.
- Impact on privacy and tranquillity.
- Urban sprawl.
- Light pollution / dark skies.
- No sequential test.
- Overdevelopment, without sufficient increased infrastructure.
- Application does not consider the applications in Arthur Moody Drive.
- Not clear the amount of housing proposed.
- Removal of visible green space in the village / loss of open space.
- No continuous pavement to local schools, schools or Newport / lack of footways
- Currently no cycle track
- Current pinch-point increases speeds rather than acting as traffic calming. Some form of traffic calming is therefore required.
- Charity shop and church would lose their parking.
- Air pollution.
- Increase in crime rates.
- Insufficient ecology report.
- Flooding.
- Inadequate capacity in the current foul drainage system.
- Out of keeping with the character and context of the village
- Impact on nitrates
- Archaeology
- Contamination
- Lack of adequate children's play areas.
- Great Crested Newts are present in the area
- Ecology report should not be a desk based assessment [officer comment: the survey and report included on site surveys].

5.9 The Badger Trust have objected that the ecology study and report have not been published for public scrutiny. [officer note: this information does appear on the planning website for this application].

6 **Evaluation**

Principle

6.1 The application seeks outline consent with only access to be considered at this stage. All other matters would be reserved for later consideration. The number of proposed units has not been stipulated but the supporting transport information and application forms indicate that the site could accommodate around 117 units, representing a density of 37 dwellings per hectare.

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 locationally 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** Concerns have been raised that the application has not been supported by a sequential test of alternative site. However, this is not required having regard to the lack of housing delivery on the Island.
- 6.7** 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.
- 6.8** 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.
- 6.9** 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.
- 6.10** Concerns have been raised by third parties with regards to lack of capacity at the doctors and hospital to accommodate additional development. 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 existing residents and therefore these individuals would already be using these services.
- 6.11** 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.
- 6.12** Having due regard to the above both applications are considered to be acceptable in principle.

Impact on the character of the area

- 6.13** The proposed development would be located adjacent to an established residential area. The site would be screened from Gunville Road (to the west), by existing residential development, which are all two storeys in height. The submitted regulatory cross-sections indicate that it may be possible to see the

roofs of resultant dwellings in the event they are two and a half or three storeys, but these roofs would be seen in the context of the residential units, which any views would be looking over or between. As a result, the proposed development would not result in any impact from this vantage point.

- 6.14** To the south of the site is an open field adjacent to the existing commercial area off Taylor Road. Due to the presence of these buildings the proposed development would not be readily visible from public land. It would be possible to see the site from the playing fields of Carisbrook College, to the south east and east however, these views are not considered to be sensitive and would be seen in the context of the residential and commercial area.
- 6.15** The proposed development would not project further north than the properties on the other side of the school playing fields and would therefore 'infill' the space. This area of land, although open, is not considered to make an important contribution to the area. The existing playing fields provide a protected area of visual open space, to ensure that from distanced views the visual separation between Mountbatten Drive and Gunville Road would be retained, to avoid any urban sprawl.
- 6.16** The land to the north is open with footpath N57 and Forest Road further north. The site would not be visible from the footpath, due to the existing significant natural growth the forms the boundary of this right of way. The site would be visible from glimpses when walking along Forest Road, but at this distance the proposed housing would be seen in the context of the surrounding development.
- 6.17** The site includes an area of previously development land, which includes hard surfacing and dilapidated buildings. It is clear from aerial images that the hard surface on site has been used for the storage of a large number of vehicles. This together with the dilapidated nature of the buildings on site, impacts on the visual amenity of the area. Although it is acknowledged that this only represents a small corner of the site, it is a matter to consider in the overall balance, together with the impact of this use of neighbouring amenity, which is discussed in more detail in the relevant section below.
- 6.18** Concerns have been expressed that the application would result in an impact on tourism, due to the loss of green fields. The site is not located within an area known for its specific tourism offer. Although the overall quality of the Island landscape is a draw for tourists, the site is simply not sufficiently visible or rural to sufficiently detract from the surrounding landscape character to warrant refusal on these grounds.
- 6.19** Having regard to the vantage points from which the site would be visible, combined with the appearance of the existing brownfield element of the site, existing landscaping to the boundaries and the residential and commercial context of the surrounding area, the proposed development is considered to sit comfortably within the character of the area in accordance with policies DM2 and DM12 of the Core Strategy.

Impact on neighbouring properties

- 6.20** The site has open land to the north, east and south. The only properties therefore likely to be impacted upon would be those positioned to the west, which front Gunville Road.
- 6.21** The existing properties have long gardens of over 35 metres. Having regard to this distance it is considered that there would be no unacceptable impact from overdominance or overlooking on these existing properties.
- 6.22** Officers consider there to be sufficient space on site to accommodate any proposed units at a suitable distance from the shared boundary, combined with the vegetation on the boundary, to ensure that there would not be unacceptable impacts on the garden/amenity areas of these properties.
- 6.23** The proposed access road would be positioned between 162 and 156 Gunville Road. There is currently a distance of approximately 18 metres between these properties, which would allow for landscaping either side of the proposed access road, to ensure that there would not be any unacceptable impacts on the amenities of these properties as a result of traffic movement to and from the site.
- 6.24** Previously development land on site includes buildings and large external areas used for storage and the repair and maintenance of agricultural machinery, which would have the potential to have a significant impact on neighbouring residential amenity. Although this only relates to a small element of the overall site, it is an area closest to some of the immediate neighbouring properties and its removal would result in the potential to an improvement in the relationship between neighbouring uses.
- 6.25** The existing boundary treatments and distances between the site and other surrounding uses would ensure that there would be no inter-relationship impacts.
- 6.26** It is therefore considered that the proposed development could be designed and landscaped to ensure that there would not be any unacceptable impacts on neighbouring uses or residential amenity, in accordance with policy DM2 of the Core Strategy.

Archaeology

- 6.27** As originally submitted concerns were raised with regards to the potential for archaeology deposits at the site. As a result, pre-determination trenching was undertaken, and an updated report submitted of the findings.
- 6.28** The Archaeology Officer has confirmed that they are satisfied that no evidence was found within the evaluation trenches for archaeological features or deposits and that a good coverage of the site was sampled. Therefore, they would not require any further investigation for this proposed development.

Ecology and trees

- 6.29** The site is predominately semi-improved grassland bordered by hedgerows and includes a small area of buildings and hardstanding on the south eastern corner. As outlined above the site is surrounded by agricultural fields, school playing fields and residential development. A Preliminary Ecological Appraisal and Phase 2 Ecology Survey Report (RPS, November 2019) have been submitted with the application. These proposed a suite of mitigation measures, together with the plans showing the retention and enhancement of open space. Measures include:
- clearance under supervision of an ecologist and to avoid sensitive times of year - reptile and amphibian translocation as necessary
 - retention and strengthening of all boundary hedgerows, to include planting and buffer strips on the south, east and northern boundaries
 - enhancement and management of grassland within the northern part of the site
 - creation of 2 reptile hibernaculas on site
 - installation of bird and bat boxes
- 6.30** The Ecology Officer advises that these measures should be secured in full if planning permission is granted. At the reserved matters stage there would be the need for full consideration of any ecological features as part of the development of the site layout/design, which would need to incorporate the mitigation and enhancement measures put forward, and in the event that the Environment Bill is enacted as expected in Autumn 2021, set how the requirement for Net Gain would be achieved. Further details regarding landscaping and planting would also be required as part of this future submission, together with an informative regarding applicable requirements for European Protected Species licenses that could be applied on any planning permission.
- 6.31** In the light of recent European Court of Justice decisions relating to Ecology, it is important to ensure that developments would not lead to harmful effects on the Southampton and Solent Waters Special Protection Area (SPA) as a result of nitrate enrichment. Recent advice from Natural England is that the SPA is currently in an unfavourable condition as a result of excessive levels of nitrogen and phosphate, which has led to a detrimental impact on the habitats and species of birds to which the designation relates. The application form states that foul sewage would be discharged via the mains sewer. The main sewer from this site would in turn discharge via Sandown Waste Water Treatment Works and as such would not result in any adverse impacts to the condition of the SPA.
- 6.32** The Bird Aware Solent Strategy has updated 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. The applicant has agreed to enter into a legal agreement, prior to any decision being issued, which would ensure that the developer would make the relevant monetary contribution to mitigate the impact of the development on the Solent Special Protection Area.
- 6.33** In respect of trees, the majority of this site is an open field with ruderal growth. The only trees on the site are to be found on the boundaries of the field, either

within the hedgerows or domestic boundaries of the properties to the west of the site. These are a mix of deciduous specimens of varying quality. Collectively they add to the rural character of the wider area and would offer screening into and from the site. Any layout would need to take the constraints presented by the trees into account and ensure that they are sufficiently considered.

- 6.34** As this is an outline application it is not possible to make any comment beyond that offered in the tree report that there is sufficient room to develop the site as long as the buildings are a sufficient distance from the trees. The report suggests a 4 to 5 metre distance, although officers consider this is a generalisation or may be an average, as this would depend on the species of tree. Given that many of the trees still have considerable growth potential it would be unwise to locate a property that close to a tree with a possibility of growing to 20 metres in height as there could be issues of shade and dominance. As such it is advised that when designing the final layout growth potential of the nearest tree is also considered.
- 6.35** Whilst it is possible to say that the site could be developed with limited impact on trees this would be dependent on the final plans of how the site would be laid out. The Tree Officer has suggested that "Given that there is to be 115 houses there will be potential for conflict if layout design does not take note of the trees constraints both present and future. I feel that whilst a tree report has been submitted already this should be carried forward and revised as further information becomes available to ensure potential impacts are correctly addressed. I would also suggest that if permission is given for the outline plan a landscape condition is set to ensure the landscaping of the site complements the wider environment." The proposed development does not seek for 115 units specifically, this being an indicative figure, so officers are satisfied that a layout could be designed to avoid harm to trees and appropriate landscaping.
- 6.36** Having regard to the above, officers are satisfied that the site could be developed for residential development without having an unacceptable impact on ecology and trees, with space for landscaping and habitat creation to ensure that biodiversity improvements could be secured.

Highway consideration

- 6.37** This application seeks outline consent for residential development on land off the eastern side of Gunville Road with only access onto the public highway being considered (all other matters are to be reserved). It is acknowledged that at this stage the scale of development is yet to be determined however the submission includes a Transport Assessment that has evaluated the suitability of the proposed access in respect to accommodating circa 117 residential dwellings, along with the impact on the wider highway network with the submitted application form making reference to the provision of circa 115 dwellings.
- 6.38** The application site would be served from an access off Gunville Road. The layout includes for a conventional priority junction with an associated shared use pedestrian / cycle route and a zebra crossing outside of No. 162 Gunville Road replacing the existing priority flow system / buildout and providing pedestrian connectivity of the wider footway network and onward accessibility to the local

public amenities (schools, shops and north bound bus route).

- 6.39** On review of Drawing No. 15776/2 dated July 2020 and as a result of a site inspection it is accepted that the proposed priority junction complies with geometric highway design standards, providing a level of visibility commensurate with the posted speed limit (30mph) and providing space for the safe access and passage of private and service vehicles. It is also accepted that due to the alignment of Gunville Road an adequate level of forward visibility would be available to motorists approaching the junction of those waiting to turn right into the site; and that vehicles emerging from the site could see those approaching.
- 6.40** Following concerns from Island Roads a revised layout now also makes provision for the removal of the existing priority flow system on Gunville Road and its replacement with a zebra crossing. While it is accepted that the introduction of this facility would mean that the crossing distance for pedestrians would increase from 3.5m to circa 6.0m, it would now ensure that pedestrians would have priority when seeking to cross the road providing safe onward connectivity to the local amenities to the southeast of the site (schools and shops) and the north bound bus route.
- 6.41** While it is accepted that even with the provision of a controlled crossing facility some pedestrians may still choose to cross remote from the crossing point, the controlled facility (zebra crossing) would provide safe onward accessibility to the local amenities for all user groups when considering the scale of development and existing and proposed network vehicles flows.
- 6.42** However, should the application be approved Island Roads have recommended that any imposed conditions make reference to the principal of the layout as detailed on drawing no. 15776/2 dated July 2020 (including for a priority junction, zebra crossing and associated footway / cycleway facilities), to allow for some minor alterations at detailed design stage for the following reasons:
- Running south from the proposed zebra crossing a shared use footway / cycleway is shown. However, if crossing Gunville Road west to east visually impaired users would not be aware that they were entering a shared use facility and would therefore not expect to encounter cyclists.
 - The layout implies that cyclists are to use the zebra crossing itself on the eastern side of Gunville Road as a point of access / egress giving rise to the potential for conflict with pedestrians who would be unaware of the potential of cyclists approaching from the north using the zebra crossing for a point of access. The pedestrians themselves could also inadvertently block the passage of cyclists prohibiting them from being able to leave the carriageway safely.
 - No consideration appears to have been given to the presence of the vehicle access serving No. 162 Gunville Road and the shared use route across this section drops to an average of 2.50m with what appears to be a localised narrowing to 2.20m posing a potential point of conflict.
 - Island Roads consider on highway safety grounds it would be better for the section of shared use path between the zebra crossing and the proposed priority junction to have footway status only and for cyclist to access / egress Gunville Road via the priority junction. It is also anticipated that

there would be a need for some bollards at the back edge of footway within the vicinity of the zebra crossing to protect pedestrians from vehicles access / egressing the forecourt area to the front of No. 162 Gunville Road.

- Island Roads are also of the opinion that the tie-in of the kerb line to the south of the proposed junction could be modified to minimise the extent of the localised carriageway narrowing and to improve the alignment with the existing bus layby

6.43 Island Roads is therefore satisfied that a priority junction with associated footway / cycleway facility and the inclusion of a zebra crossing can be accommodated within the limitations of the site and adjacent public highway and would provide a suitable means of access for all modes of transport serving the scale of development proposed (2.0m wide footway, 6.0m wide principal carriageway, 3.0m wide shared use footway / cycleway and 'X' = 2.4m by 'Y' = 43.0m junction visibility splays). It is also highlighted that the realignment of the kerb line on the eastern side of Gunville Road would improve the level of visibility available to users of the existing vehicle accesses located either side and on the approaches to the proposed priority junction.

6.44 When evaluating the highway implications of this proposal Island Roads have also given due consideration to the applications in respect to the development of land off Arthur Moody Drive. It is confirmed that should either of the proposals be granted consent then the modifications proposed as part of this application would not have a negative impact.

6.45 It is also recommended by Islands Roads that if approved the onsite layout should give due consideration to the local public rights of way network and allowance for any potential future footway / cycle links to the east when considering the proximity of the site to local schools and east / west cycle travel across Newport and on towards to West Wight.

6.46 Section 5.0 of the Transport Assessment that accompanies this application 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 and allowing for up to 117 dwellings being accommodated on the site they have the potential to bring about an additional 43 arrivals and 23 departures to / from Gunville Road in the PM peak hour. It is accepted that the junction modelling works that have been undertaken show that the proposed priority junction would operate within theoretical capacity.

6.47 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 south 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 will 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 seen to be a justifiable reason 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.

- 6.48** To assist with the mitigation of this impact, a significant sustainable transport contribution of £45,000 has been negotiated, which would contribute towards the Gunville to West Wight cycle track, together with the potential of either a 3m wide multi use path along the northern boundary of Carisbrooke College playing fields (to connect to the existing public right of way to the east and a new shared use path forming part of the proposed development to west) or the surfacing of the existing public right of way N54. Officers consider that these enhancements would encourage the use of alternative means of transport for shorter journeys, having the potential to reduce pressure of the highway network.
- 6.49** 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 limited nature of the impact, being an increase in queue length at the PM peak hour only, on balance the proposal would be acceptable.
- 6.50** Concerns have been raised that the transport assessment is out of date, as it does not take into consideration the Home Bargains store. Although this may be the case, other stores within the Taylor Road estate were open (such as Mothercare), so there is a balance between the generation of these premises and the acceptance with there would always be a slight variation between when a report is produced and a development commenced, due to constant changing circumstances, the information is considered to be suitably adequate.
- 6.51** Island Roads have commented that should the application be approved the applicant should be obligated to provide a 'Construction Management Plan' that clearly shows the phasing of the works and includes for the onsite parking, loading / unloading and turning of all construction and associated operative vehicles throughout the build process due to the limited availability of on-street parking within the immediate vicinity of the site, together with wheel washing to ensure that the highway network remains clear from any site debris. It is considered that conditions could be applied to secure these matters.
- 6.52** Concerns have been expressed by third parties that the proposed development would result in loss of parking for the charity shop and church. Officers do not consider that this would be of a sufficient level of impact to justify refusal, especially considering the detailed layout could accommodate visitor parking.
- 6.53** Officers appreciate that an application on the opposite side of the road was recently considered by the Planning Committee and it was resolved to refuse on highway grounds. These grounds referenced the immediate residential road network to that development (particularly in relation to Broadwood Lane, Forest

Hills, Arthur Moody Drive and the junction from Gunville Road) as well as the Waverly Roundabout. Further concerns also referenced the impact of construction traffic on the residential amenity of surrounding properties. In the circumstances of the current application, the proposed access would directly adjoin Gunville Road and would therefore not result in the same degree of impact on the immediate road network or residential amenity. Officer therefore consider that the balance of harm against the benefit of the potential housing delivery would be different.

- 6.54** Having regard to the above and noting the comments from Island Roads, officers conclude 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.

Drainage and surface water run-off

- 6.55** Concerns have been raised by third parties that there is insufficient foul drainage capacity and insufficient information relating to surface water drainage. In respect of foul drainage, southern water has raised no objection or any capacity concerns with regards to the use of the existing main drainage in this area. The developer would have to apply to them directly to agree this connection and it would therefore be between these two parties to ensure that the system can accommodate the additional flows.
- 6.56** The submitted application forms indicate that surface water would be disposed of via soakaway, an existing water course and ponds/lakes and has been supported by a flood risk assessment and drainage strategy. This indicates an intended use of sustainable urban drainage techniques, which are supported in principle. The detailed design stage would allow for a scheme to be drawn up to ensure that any ponds/lakes provided sufficient storage capacity to manage any discharge flows to mimic greenfield run off rates plus the requirement for climate change +40%).
- 6.57** In light of the outline nature of the application officers are satisfied that both foul and surface water can be dealt with appropriately within the land available. in the site boundary.

Other Matters

- 6.58** Concerns have been raised by third parties with regard to pollution relating to noise, light and air. 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 of any development. This impact can be minimised with appropriate conditions to control working hours and secure suitable construction mitigation measures. The application site is not located within an AONB and is in an urban setting, and as such the proposed housing is not considered to have a significant impact on any notable dark skies.

- 6.59** Concerns have been expressed by third parties that there would be too much development in the Gunville area, when combined with other consents/applications. Although there are some recent developments under construction in the area and other applications submitted, officers are satisfied that, due to their positioning within the context of existing housing there would not be any harmful visual impacts as a result of the development. The transport assessment has had regard to the cumulative traffic generation from all of these schemes and it is considered that the area can accommodate the level of development.
- 6.60** 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.
- 6.61** Comments received by third parties have expressed concerns regarding potential contamination. Environmental Health have raised no concerns in this regard but request a condition should the application be approved, due to the previously developed part of the site containing buildings.
- 6.62** Further comments have raised concerns due to the lack of adequate children's play areas. The indicative plan submitted with the application shows development areas of the site, and areas which would be set aside for open space. This area could accommodate a play area if considered appropriate and necessary.

7 Conclusion

- 7.1** The proposed development would provide much needed housing within an established residential and highly 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 for one hour of the day, 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

- 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
 - Sustainable transport contribution of £45,000, towards improvements to

sustainable transport links in the vicinity of the site.

- Any necessary education contribution, dependent on the final mix and numbers.

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

Additional information has been submitted through the course of the application which has overcome 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), and the landscaping of the site (hereinafter called "the reserved matters") for no more than 117 units 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 plan, numbered drawing no. 15776/2 dated July 2020 (including for a priority junction, zebra crossing and associated footway / cycleway facilities).

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 boundary treatments shall be erected 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 hard and 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. This is a pre-commencement condition due to the outline nature of the planning application and the need to ensure that the layout of the scheme takes account of the need for on-site landscaping and open spaces.

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. 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 given the stage at which drainage infrastructure would need to be installed.

7. Prior to the commencement of development, including site clearance, 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:
 - clearance under supervision of an ecologist and to avoid sensitive times of year
 - reptile and amphibian translocation as necessary
 - retention and strengthening of all boundary hedgerows, to include planting and buffer strips on the south, east and northern boundaries
 - enhancement and management of grassland within the northern part of the site
 - creation of 2 reptile hibernaculas on site
 - installation of bird and bat boxes

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). This is a pre-commencement condition, in order to ensure that protective measures are adopted at all stages of the development.

8. 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

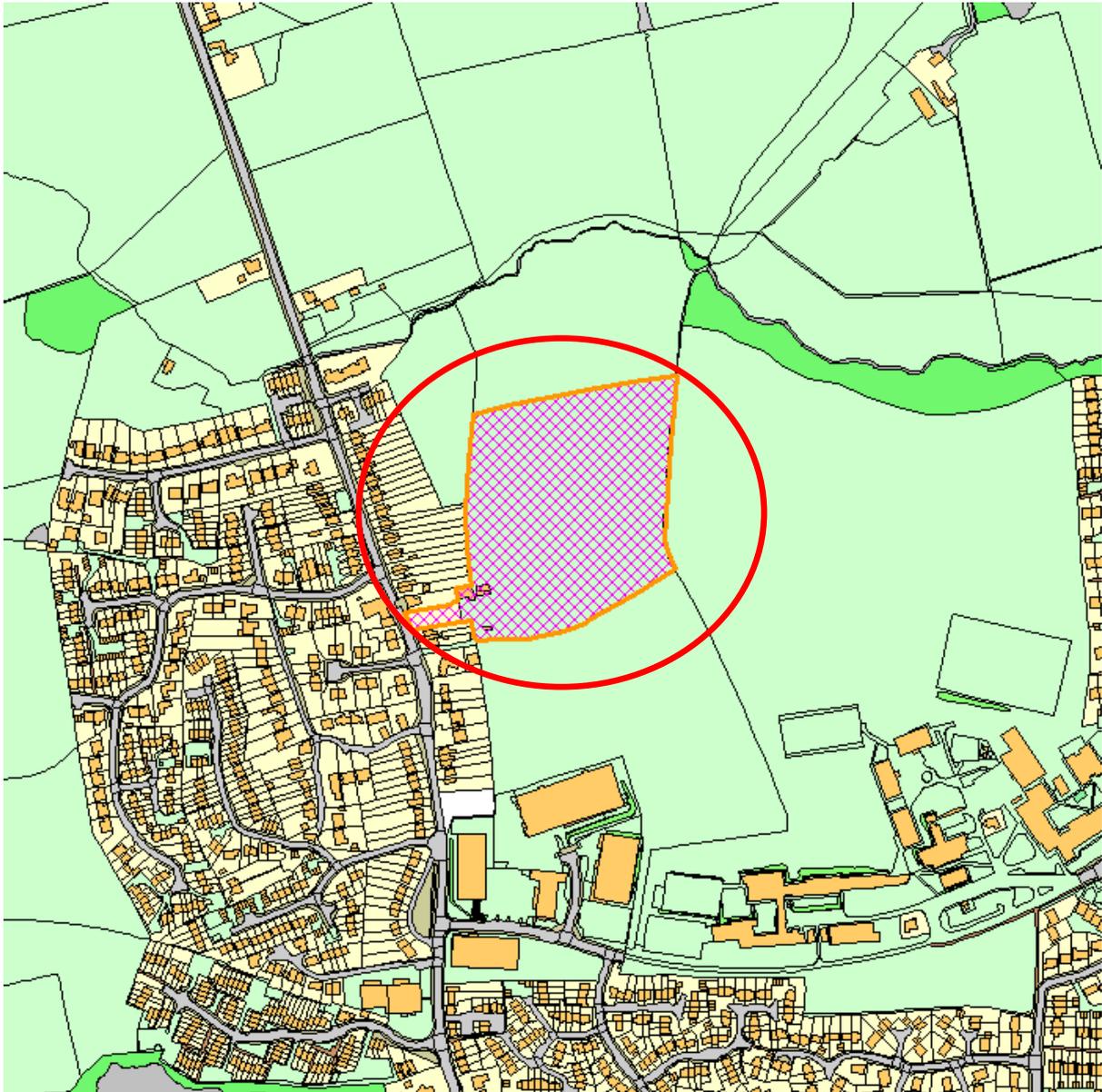
Reason: To ensure that the works are undertaken in an appropriate manner to minimise impact on the amenities of neighbouring uses and to ensure safe access into the site during the construction period in accordance with policy

DM2 (Design Quality for New Development) of the Island Plan Core Strategy. This is a pre-commencement condition given the early stage at which the mitigation measures would be required.

9. No part of the development hereby permitted shall commence until there has been submitted to and approved in writing by the Local Planning Authority parts a) and b) below. Parts c) and d) shall be required as necessary.
 - a) a desk-top study documenting all previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research report no's 2 & 3 and BS10175:2011+A2:2017; and, unless otherwise agreed in writing by the Local Planning Authority
 - b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk-top study in accordance with BS10175: 2011+A2:2017 – “Investigation of Potentially Contaminated Sites – Code of Practice” and, unless otherwise agreed in writing by the Local Planning Authority,
 - c) a remediation scheme to deal with any contaminant including an implementation timetable, monitoring proposals and a remediation verification methodology. The verification methodology shall include a sampling and analysis programme to confirm the adequacy of decontamination and an appropriately qualified person shall oversee the implementation of all remediation;
 - d) The investigator shall provide a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been carried out.

The construction of buildings shall not commence until such time as is approved by the Local Planning Authority.

Reason: to protect the environment and prevent harm to human health by ensuring that where necessary in accordance with paragraph 174 of the NPPF. This a pre-commencement condition due to the stage at which surveys/ remediation measures for potential contaminants would be required.



Scale: 1:5000

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