

Public Document Pack



Monitoring Officer
Christopher Potter

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

Agenda

Name of meeting	PLANNING COMMITTEE
Date	TUESDAY 6 JULY 2021
Time	4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the Committee	Cllrs M Lilley (Chairman), G Brodie (Vice-Chairman), D Adams, M Beston, P Brading, C Critchison, W Drew, C Jarman, M Oliver, M Price, C Quirk, Vacancy and P Fuller (Cabinet Member)
	Paul Fuller – Cabinet Member for Planning and Housing
	Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

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

To confirm as a true record the Minutes of the meeting held on 21 June 2021.

2. **Declarations of Interest**

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

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



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.

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, 1 July 2021.

4. **Report of the Strategic Manager for Planning and Infrastructure** (Pages 9 - 20)

Planning applications and related matters.

5. **Urgent Business**

To discuss proposed Planning Committee dates until March 2022.

6. **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, 2 July 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, 28 June 2021



Minutes

Name of meeting	PLANNING COMMITTEE
Date and Time	MONDAY 21 JUNE 2021 COMMENCING AT 4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs M Lilley (Chairman), G Brodie (Vice-Chairman), M Beston, P Brading, C Critchison, W Drew, M Oliver, M Price and C Quirk
Also Present (Non voting)	Cllr Paul Fuller
Officers Present	M Bartlett, J Brenchley, O Boulter, R Chick, B Gard, S Van-Cuylenburg, A White (on behalf of Island Roads), S Wilkinson
Apologies	Cllrs D Adams and C Jarman

1. Minutes

RESOLVED:

THAT the minutes of the meeting held on 16 March 2021 be approved.

2. Declarations of Interest

Councillor Martin Oliver declared an interest in minute number 4a (Castle Lodge, 54 Castle Road, Newport) as he was the adjoining ward councillor.

3. Public Question Time - 15 Minutes Maximum

Mr Stephen Davis submitted a written question regarding the UKOG planning application. (PQ/31/21).

4. Report of the Strategic Manager for Planning and Infrastructure

4.1 Planning Applications

RESOLVED:

THAT the applications be determined as detailed below:

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

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

Application:

21/00076/FUL

Details:

Change of use from guest house to HMO

Castle Lodge, 54 Castle Road, Newport

Site Visit:

The site visit was carried out on Wednesday, 16 June 2021

Public Participants:

James McDermott (Applicant)

Matt White (Objector)

Additional Representations:

Further objections/concerns had been received by the Local Planning Authority following the publication of the report. A procedural issue regarding the Planning Committee site visit had been raised, however this was not a consideration on which the application must be determined, Officers were satisfied that the issued had been appropriately considered and addressed. An additional condition had been proposed to the wording of the management plan condition recommended in the published officer report.

Comment:

Councillors Oliver and Quirk had not been present at the arranged site visit so therefore in accordance with the council's constitution did not take part in the debate or vote on this item.

A statement was read out on behalf of Councillor Joe Lever as Local Councillor on this item. The Chairman agreed to allow Councillor Martin Oliver to speak as adjoining local Councillor on this item.

The Council's Housing Needs Service Manager explained to the Committee the policy in place for placing people in properties and the support provided by the applicant, this was constantly under review to ensure the right people were provided the right accommodation in the right place. He went on to explain the stages of pathway to homeless delivery.

Concern was raised regarding the communication from the applicant and believed that if it had been done correctly local residents would understand and the myths associated with such a proposal would not exist.

The Committee questioned the comment made by Hampshire

Constabulary's Designing Out Crime Officer regarding on-site support at all times, Officers advised that a manager would be on call 24 hours a day seven days a week, a management plan was also proposed to be conditioned.

Councillors raised concerns that the current guest house had not been marketed in line with the requirements of policy SP4 (Tourism), in order to assess the loss of a tourism use.

A proposal to accept the officers' recommendation, to include the amended condition in the update paper was proposed and duly seconded.

An amendment was proposed to include a review period of the application and to reduce the number of residents until that review had taken place. Officers advised that a condition could be added to provide temporary permission to three years, as a reduction in the number of residents without sound reasoning for the limit set in any condition could be challenged.

The amendment was accepted and duly seconded

Decision:

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

RESOLVED:

THAT the application be approved subject to the amended condition contained in the update paper and a condition to provide a 3 year temporary consent.

Amended/Additional Conditions:

4. Prior to commencement of the use hereby permitted, a Management Plan for the property shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include the following details:
 - How future residents would be selected for residency within the property.
 - Security measures to be implemented, including CCTV and access controls.
 - How residents would be supported during their residency.
 - How any incidents of anti-social behaviour and/or noise disturbance would be responded to.
 - How any complaints received in respect of residents' behaviour would be handled.
 - Those responsible for the implementation of the Management Plan.

The agreed Management Plan shall be implemented and adhered to for the duration of the use of the property hereby permitted. Should the Management Plan not be implemented or complied with, the use of the

property as an HMO shall cease.

Reason: To protect the amenities of the area, those of neighbouring residents, as well as those of future occupiers of the accommodation in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

5. Condition to issue a 3 year temporary consent
As per report (Item 1)

Application:

21/00279/FUL

Details:

Proposed fuel depot, including office building, cabinet and switch room, installation of fuel tanks and tank bund, external lighting columns, fencing and parking.

Plot A1, Island Technology Park, Whippingham Road

Site Visit:

The Site visit was carried out on Wednesday, 16 June 2021.

Public Participants:

Martha James (on behalf of Objectors)

Additional Representations:

A comment from Hampshire and Isle of Wight Fire and Rescue service had been received raising no objections based on a number of requirements that needed to be met, these included access to the site must meet building regulation requirements and details of emergency access to site out of hours.

Comment:

Councillors Oliver and Quirk had not been present at the arranged site visit so therefore in accordance with the council's constitution did not take part in the debate or vote on this item.

Councillor Matthew Price spoke as Local Councillor on this item, in accordance with the Code of Practice for Councillors and Officers dealing with Planning Matters, in the council's constitution, he did not vote.

Confirmation was provided that Environmental Health and the Fire Authority had been consulted on the application and had raised no objections regarding the application and the Health and Safety Executive had been consulted, but no response had been received.

Decision:

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

THAT the application be approved

As per report (Item 2)

4.2 2020/21 Appeals performance report

The Committee thanked all concerned and noted that the appeals service performed strongly and this was reflected in the figures contained within the report.

RESOLVED:

THAT the report be noted and welcomed.

5. Members' Question Time

There were no members questions.

CHAIRMAN

This page is intentionally left blank

Agenda Item 4

ISLE OF WIGHT COUNCIL PLANNING COMMITTEE - TUESDAY, 6 JULY 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.

This page is intentionally left blank

INDEX

1	20/01989/FUL Land North Of, Wacklands Lane, Newchurch.	Parish: Newchurch Ward: Arreton And Newchurch	Conditional Permission
Continued use of land for keeping of horses including retention of stable block; proposed all weather menage area			

This page is intentionally left blank

01 Reference Number: 20/01989/FUL

Description of application: Continued use of land for keeping of horses including retention of stable block; proposed all weather menage area

Site Address: Land north of Wacklands Lane, Newchurch, Isle of Wight

Applicant: Mrs C Mosdell

This application is recommended for: Conditional Approval

REASON FOR COMMITTEE CONSIDERATION

The applicant is an elected member and objections have been received. Therefore, in line with the Council's constitution, the application is referred for Committee consideration.

MAIN CONSIDERATIONS

- Principle of development
- Impact on the character and appearance of the site and surrounding area
- Other matters

1. Location and Site Characteristics

- 1.1 The application site lies on the northern side of Wacklands Lane and currently comprises a vehicular access leading to a yard area and existing stables (including that subject of this application) with paddock/grazing land to the north.
- 1.2 The surrounding area is rural in nature with open fields, grazing land and other stables present within the landscape.

2 Details of Application

- 2.1 This application seeks retrospective planning consent for the retention of a stable block which has been constructed on site. The submitted documents set out that the stables 'as built' comprise two separate stables, one with a loose box and feed store and the other with a loose box and tack room. Each stable measures 2.6 metres in length by 7.5 metres in width.
- 2.2 The application also includes for the continued use of the land for the keeping of horses and the introduction of a new all-weather menage area. This would measure 40 metres by 20 metres and would be used in conjunction with the existing equine use.

3 Relevant History

3.1 20/00647/FUL – Proposed stables – Approved 19 June 2020

4 Development Plan Policy

National Planning Policy

4.1 The National Planning Policy Framework (NPPF) advises that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF confirms that in the context of sustainable development the planning system has three overarching and mutually interdependent economic, social and environmental objectives.

4.2 The NPPF states that there is a presumption in favour of sustainable development and at paragraph 11 it 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 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.

Local Planning Policy

4.3 The Island Plan Core Strategy identifies the application site as being outside of any defined settlement boundary, and within the Wider Rural Area. Therefore, the following policies are relevant to this application:

SP1 - Spatial Strategy

SP5 - Environment

DM2 - Design Quality for New Development

5 Consultee and Third Party Comments

Parish/Town Council Comments

5.1 Newchurch Parish Council has advised it supports this application although provides no reason for that support.

Third Party Representations

- 5.2 Two third party representations (from the same person) have been received objecting to the proposal on the following grounds:
- Overdevelopment
 - Non-compliance with previous approval [Officer Note: This is not a material planning consideration and therefore cannot prejudice the determination of this application.]
 - No planning approval for other structures on the land [Officer Note: This is not a material planning consideration.]
 - Drainage

6 Evaluation

Principle of development

- 6.1 The application site lies within a rural area wherein new development will generally be resisted unless a local need is put forward. The proposal relates to the use of the land for equestrian purposes with associated stables and menage area. Development relating to horsiculture is expected to be located within a rural area and therefore subject to the more detailed issues of the proposal being in accordance with the relevant policies of the Island Plan Core Strategy which will be discussed further below, the proposed development is considered to be acceptable in terms of principle.

Impact on the character and appearance of the surrounding area

- 6.2 As detailed above, consent was granted in June 2020 for an additional stable block on this site for use in conjunction with the equine use of the site and a further existing stable building to the south. That consent has since been implemented and the additional stable building constructed however it has been built larger than that shown on the approved plans. This current application therefore seeks consent for the retention of that building 'as built' as well as the continued use of the land for the keeping of horses and a new all-weather menage area.
- 6.3 The plans approved under the previous application (20/00647/FUL) detailed the new stable building to have a footprint of 8 metres by 3.5 metres. Whilst the building that has since been constructed is in the same position and of a comparable height, it has a cumulative footprint of 15.1 metres by 3.5 metres and as such is larger than that approved. Notwithstanding this, it remains a typical agricultural/equestrian style building located within a rural setting which is characterised by horsiculture. Officers are therefore satisfied that it would not appear incongruous or visually prominent when viewed from the surrounding area, particularly when having regard to its set back position and overall scale. Although larger in terms of footprint than previously approved, the building continues to be of a suitable size which appears commensurate with the site and wider landscape and thus would not be excessive or over-dominant. The site is a sufficient size to accommodate the structure without appearing overdeveloped,

with a good degree of space retained around the built form and particularly to the north. The low-key design and use of materials for the building enable it to be situated unobtrusively within the site and not have any negative visual impacts.

- 6.4 In respect of the continued use of the land for the keeping of horses and the introduction of a menage area, it is considered that this would be in keeping with the established character and nature of the site and surrounding area and as such would not cause any harm or detrimental visual impacts to landscape character. As mentioned above, the wider landscape is rural in its appearance and comprises open fields with sporadic built form/development and a proliferation of agricultural and equine uses. Having regard to this, officers are satisfied that the use of the land for the keeping of horses and associated buildings and turnout/menage area would not detract from the visual amenities and qualities of the land when viewed from outside the site itself. Whilst large in terms of its area, the proposed menage is detailed to be topped with rubber chippings which would allow it to blend with the natural tones and landscape which surround the site without appearing starkly contrasting or highly visible from surrounding land. Furthermore, the topography in and around the site itself is relatively level and therefore the menage would sit comfortably within views into and across the plot particularly when taking into account the existing appreciation of development within Newchurch and the nature of the locality.
- 6.5 Having regard to the above, it is concluded that the proposal is acceptable and complies with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Other matters

- 6.6 One of the key concerns and objections raised in respect of this proposal is the impacts of the development on drainage of the site in respect of surface water. It is asserted that the existing buildings on the application site have exacerbated water flows into the neighbouring site and that should the proposed menage area not be drained to a soakaway, this would cause further impacts. Having considered the nature and size of the stable building, officers consider that the distance between it and the neighbouring land would be sufficient to enable any surface water to naturally percolate into the soil without causing any significant or notable increase to flows or runoff rate. Whilst the photographs provided by the objector do show areas of localised flooding around the site, this appears to be a natural result of the topography of the land and the fact that it sits as a lower level than the application site.
- 6.7 Furthermore, the areas that show pooling of water are parts of the site that have been churned by vehicles, footfall or animals and therefore the collection of water would be expected. The proposed development would be unlikely to increase surface water on the site or runoff to the neighbouring land and the proposed surfacing material for the menage would enable suitable natural drainage. For these reasons, officers are satisfied that the proposal is acceptable in this regard and would not result in any significant or adverse impacts.

7 Conclusion

- 7.1 For the reasons set out above, it is considered that the proposal complies with the requirements of the policies listed within this justification. Therefore, it is recommended that the development is approved subject to the conditions listed below.

8 Recommendation

- 8.1 Condition approval.

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; and
- 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.

In this instance the application was considered to be acceptable as submitted and therefore no further discussions were required.

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. The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered 001, 002 and 003.

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

3. The stables and menage hereby permitted shall be used for the stabling of horses and the storage of associated equipment and feed for private recreational purposes only and shall at no time be used for any trade or

business including livery stabling, commercial equestrian tuition or commercial leisure rides.

Reason: The use of the stables and menage on a commercial basis is likely to lead to an increased use of the premises and generation of additional traffic which would be detrimental to the amenities of the area and to comply with policies SP1 (Spatial Strategy) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

4. No caravans or similar facilities, whether used residentially or not, shall be placed on the land.

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

5. No waste, foodstuff or other materials shall be stacked or stored on the site at any time except within the buildings or storage areas identified for those purposes on the approved plans.

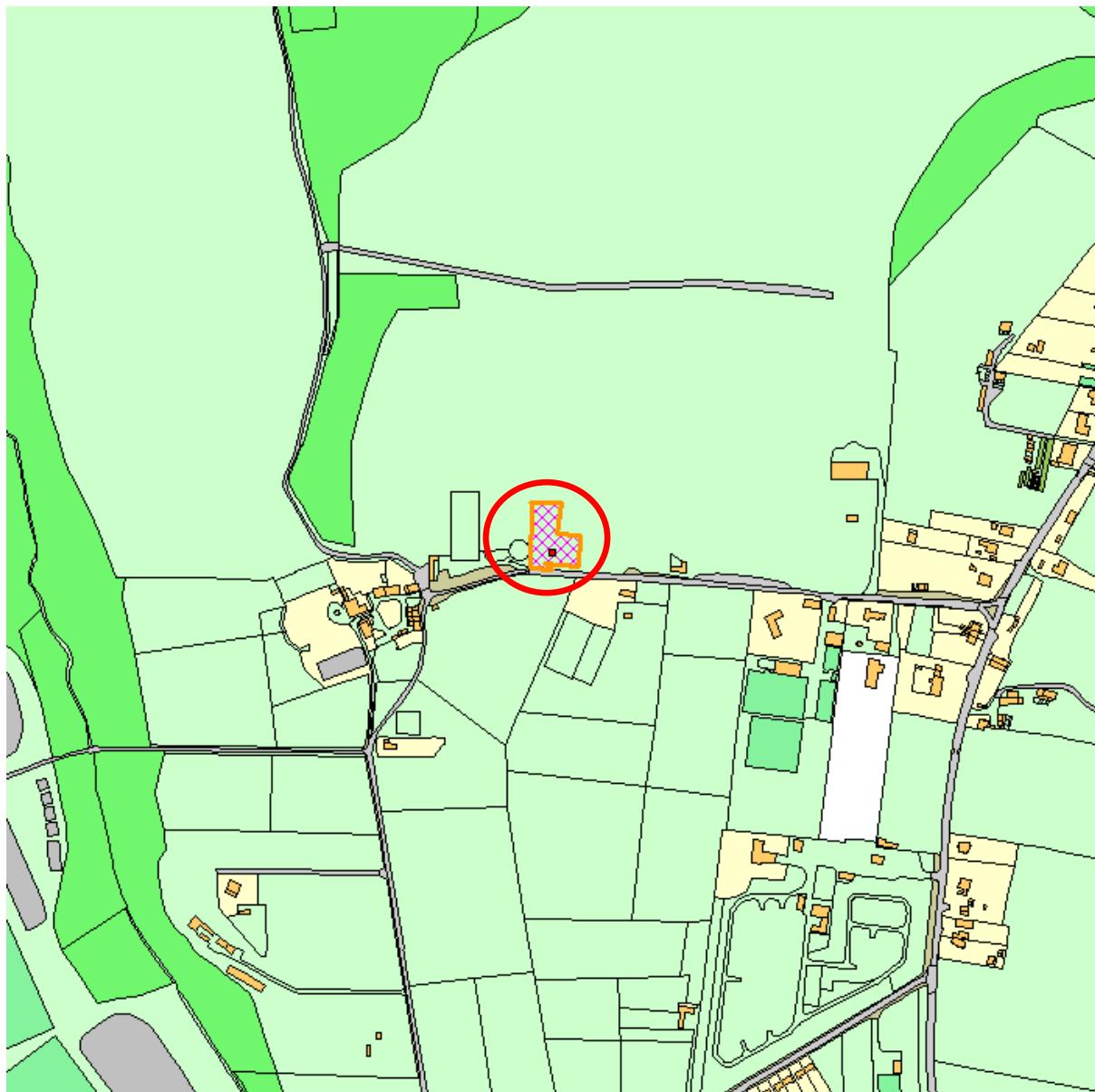
Reason: In the interests of the amenities and character of the area/neighbouring property to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

6. No manure shall be burned on the site at any time.

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

7. Notwithstanding the provision(s) of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no gates, fences, walls or other means of enclosure shall be erected on the land other than those expressly authorised by this permission.

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



Scale: 1:5000

© Crown Copyright and
Database Rights 2019
Ordnance Survey 100019229

This page is intentionally left blank