



Purpose: For Decision

# Planning Committee Report

Report of	STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE DELIVERY
Date	<b>17 October 2023</b>
Application Reference	<a href="#">21/01884/FUL</a>
Application type	Full planning permission
Application Description	Proposed Development of 56 Dwellings, means of access off Hillway Road and Steyne Road associated landscaping and infrastructure (Revised plans; additional information relating to landscaping and drainage) (readvertised application)
Site address	Land off Hillway Road and Steyne Road, Bembridge, Isle of Wight
Parish	Bembridge
Ward Councillor	Cllr Joe Robertson
Applicant	Thornwood Estate IW Ltd
Planning Officer	Russell Chick

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

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

### **1 Recommendation**

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

- Compliance with submitted plans

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

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

## **2 Location and Site Characteristics**

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

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

### **3 Details of Application**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **4 Relevant History**

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

## **5 Development Plan Policy**

### National Planning Policy

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

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

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

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

Local Planning Policy

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

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

Neighbourhood Development Plans

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

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

## Supplementary Planning Documents (SPD) and other guidance

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

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

### Internal Consultees

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

## External Consultees

- 6.6** Natural England have commented that without necessary mitigation, the development would have the potential to cause detrimental impacts on designated sites, as a result of wastewater from housing, and recreational disturbance to protected species of birds that use the Solent Special Protection Areas. Natural England have advised that as competent authority, the Planning Authority should fully assess the impacts of wastewater and on designated sites. Natural England have confirmed that subject to the appropriate financial contribution being secured, they are satisfied that the proposal would mitigate against the potential recreational impacts of the development. Natural England have ratified the Council's Appropriate Assessment in relation to both recreational impacts and nutrient neutrality.
- 6.7** Southern Water have raised no objection to the development, confirming that they could provide foul sewage disposal for the development, subject to the necessary formal application process being applied for. Southern Water have recommended informatives in the event of permission being granted.
- 6.8** The Hampshire Constabulary's Designing Out Crime Officer has commented that a pedestrian link between the site and Steyne Park would allow for disorder within the park to move into the proposed development. The Officer has also referred to a proposed bus stop to be located alongside Hillway Road, advising that due to a lack of natural surveillance the shelter should not be fully enclosed, with only a single glazed side and roof. The officer has also advised that there should be good illumination in the area of the bus stop.

## Parish/Town Council Comments

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



- Some of the parking spaces are too narrow and do not meet the regulation in the manual for streets
- Drainage and Flood risk - Although there are now drainage calculations submitted, the PC has done the maths and contends that they are not sufficient to cope with the amount of flood water associated with this site. Ref section 19 flood report 2022
- Surface materials - these are not permeable and will increase the likelihood of flooding in an area already prone to this
- Environmental grounds - the landscaping plans attached with this revised scheme do not mitigate the loss of hedges. No impact assessments have been added with these new schemes and the PC objects to this application being approved without these assessments being undertaken (**Officer comment** – Ecological information has been provided to support the planning application)
- There are several mature trees that will cast shadow into the amenity space of several of the larger proposed properties. It is almost guaranteed that the new residents will then want these trees removed to stop this darkening of their gardens. This is proof that not enough consideration has been given to the current landscape in the design of this estate. This is contrary to guidance BS5837
- Conditions - The PC objects to the removal of permitted development rights on only 2 of the properties. This is likely to lead to confusion. All properties should be treated the same. Residents of the affected policies will want the condition removed to bring them into line with the other residents (**Officer comment** – Officers have recommended that permitted development rights are removed for hard standings and boundary treatments forward of all properties)
- Pedestrian access to Steyne Park - the PC does not give permission for the proposed access into Steyne Park. This must be removed from the scheme (**Officer comment** – rights of access are not material planning considerations however, officers have recommended that the pedestrian link is removed, due to concerns raised by the police)
- Character - this area is being called an estate by the developer. Bembridge is a village not a town. An estate will not enhance nor improve the area and will harm the outlook of the village environment.
- We agree with the ROW officer over the improvements needed to the bridle ways and footpaths and the need for highway improvements to Steyne Road and Lane End Road as per the LCWIP.
- Cycling - The site lacks adequate provision for cycling
- Wildlife - The damage to the wildlife of this area will be devastating. A few bat boxes will not alleviate the destruction of a greenfield area whose hedgerows, trees and foliage are home to many small creatures
- Infrastructure - the village cannot cope; there is no doctors' surgery; the primary school is full
- There is no secondary education; the bus service is inadequate; the village lacks pavements but also car parking
- We feel strongly that there is no over-riding need in Bembridge for this development. It will not enhance, nor will it compliment the area and will cause significant harm.

## Third Party Representations

**6.10** A total of 694 representations have been received for this application, objecting, and raising the following summarised comments/concerns:

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

- We need affordable housing in Bembridge, but these houses would be too expensive for local people
- The inclusion of so many upmarket dwellings may lead to social imbalance in the community
- There is no shortage of housing, just a shortage of affordable homes
- There is plenty of larger housing made vacant by those who downsize as they grow older
- Need for local people is starter/ affordable housing not luxury homes
- The houses would not be available for local families or key workers/not for young people
- If approved, there should be conditions to prevent holiday occupancy
- The housing would be used as second homes/ too many second homes in the village
- Should it be constructed, this will be a secluded geriatric community on the edge of the village which will do absolutely nothing to benefit the village
- The Island has a top-heavy population structure, in Bembridge it is even more top heavy
- People who might wish to purchase the homes would be likely to be elderly and need better public transport
- The site is not in the village centre but at the edge of the village, leading to car use and congestion
- The development would turn the village into a town/ already a large village
- Brownfield sites adjacent to larger towns such as Newport would be more suitable
- Harm to the original Thornycroft estate
- The field is not the place to build houses
- Lack of facilities in the village for local residents/ lack of facilities for younger people
- Village is over-crowded during the tourism season
- Lack of services for new housing
- Pressure for waste management
- Impact on infrastructure/ impact on existing power supplies
- No full-time doctor's surgery
- Local primary school is full
- No secondary school in the village
- No petrol station
- No fire station
- Lack of parking in the village
- Poor access within the village
- Lack of cycling facilities within the village
- The library is only run by volunteers and does not provide all normal library and Council services
- No sports/ leisure facilities within the village
- No locality hub proposed for the area
- Lack of public transport
- Nearest shops are 700m away with a lack of pavements
- The hospital for the Island is too small for the present population/ there is only one hospital on the Island
- Limited local employment opportunities/ where would all the jobs come from?

- The housing would increase the housing density of the village
- Proposes generic housing types seen across the UK
- The village is already overbuilt
- The housing would detract from the natural beauty/ character of the village
- Lack of detail for landscaping
- Poor layout
- Would not improve the quality of the area
- Not a balanced scheme of dwellings, green spaces and open areas
- Not an attractive development/ poor design
- The proposal is based on development in Cowes
- The development would not include enough trees
- The development would be too large/ out of keeping with the scale of the village
- The site is at a high point in the village
- The site is outside of the village bounds
- The site is immediately adjacent to the AONB/ impact on the AONB
- The site is a historic landscape
- The Neighbourhood Plan restricts developments to nine houses or fewer
- We do not want Bembridge to get much bigger
- Too many houses/ overdevelopment/ urban sprawl
- Houses in Bembridge are being purchased as holiday homes
- The housing would be excessive, disproportionate and would overwhelm Bembridge's services
- Huge development, out of proportion with the village
- The development would remove open fields near to the one remaining windmill on the Island
- Impact on the rural character of the area/ tranquillity
- No landscape plan has been provided
- Loss of farmland
- No room for cattle
- Impact on archaeology
- Impact on the natural landscape/ development would be an eyesore when entering Bembridge
- The village is full to capacity and struggles to cope when tourists arrive
- The development would be out of keeping with the character of the village/ surrounding area
- The field is one of the last green spaces in the village/ loss of meadow land
- The geology of the area is not suitable, and causes flooding
- Steyne Road floods during high rainfall/ the site will add to flooding
- The effects of additional driveways, roofs and roads affecting the water that can be absorbed would need to be seriously considered
- The development would add to surface water flooding/ sewer capacity issues
- The proposed drainage/ SuDs scheme would be insufficient
- Bembridge is an island within an island subject to flood risks
- No calculations have been provided for the drainage scheme
- Impact of flooding on property insurance (**Officer comment** – this is not a planning consideration)
- There should be an independent impact assessment of sewage and groundwater management including discharge into the sea and flooding

- Pipework connecting the village to the WWTW at Sandown is at capacity/ Southern Water releases of sewage have increased
- Concerns over the operation of WwTW and sewage discharges to the sea
- Impact of nitrates from the development
- The drains need extensive updating
- Raw sewage flows into the sea at Bembridge
- Impact on ecology/ loss of habitat and wildlife/ huge environmental impacts
- Impact on trees/ loss of trees and hedgerows
- Impact on water supply/ pressure of water supply
- Impact on coastal erosion
- Green spaces in the village have disappeared, affecting ecology
- Lack of biodiversity net gain
- There is a climate emergency
- Pollution as a result of more cars
- Lack of permeability for wildlife
- No evidence for the alleged net gain for ecology
- There is no Environmental Impact Assessment (**Officer comment** – The site is not within a designated/ sensitive area and therefore an Environmental Statement is not necessary)
- Impact of lighting
- Harmful impact on listed buildings within the area, including Bembridge Windmill
- The Government is encouraging farmers and other landowners to consider rewilding
- Impact on the biosphere
- Impact on mental health due to loss of areas for nature and open space
- Impact on nearby Steyne Woods and red squirrels
- The ecology report gives no regard to nearby designated sites / ecology report is not sufficient for a development of this scale and further surveys should be required
- Impact of footfall on SSSI beaches and recreational effects
- Impact on the Solent and its habitats as a result of sewage spills
- Standard approach to mitigate recreational effects would not be sufficient
- The transport networks for Bembridge would not cope with the traffic from the development/ congestion/ roads not good enough for addition traffic
- Steyne Road can be at a stand-still due to parking and traffic and the development would exacerbate this
- The development would combine with tourism traffic
- The access would be close to a tight bend
- Proposed accesses would not be safe
- Applicant has under-reported accidents in the area
- The roads are extremely dark after sunset and there is a lack of street lighting
- Poor access for emergency vehicles
- Roads are impassable entering the village from the Windmill
- Road surfaces break up due to volume of traffic/ roads are in a bad state
- People would have to walk in Hillway Road
- The roads are used to move livestock
- Increase in car use/ traffic as a result of the development
- Lack of pavements in the area/ lack of lighting for pedestrians

- Poor bus links/ buses are only hourly
- No proposals to improve infrastructure within the village
- Impact on emergency services if the two accesses to the village are blocked
- No car park in the village/ lack of parking within the area
- Ferry links are expensive, and cancellations are numerous
- Impact of construction processes and vehicles
- Impact of construction vehicles on Sandown Road
- Steyne Cross is known for accidents
- Mini roundabout is not suitable
- Noise, light and air pollution/ impact on village lifestyle
- Impact of the construction phase due to traffic, noise, dust
- Disruption caused by this and other developments within Steyne Road
- Steyne road is congested due to parking
- Bembridge has only two car access points, with a risk of congestion should one become impassable
- The village centre is congested and compact
- Combined impacts with growing tourism sites in the area
- It takes an hour to get to Bembridge from Newport, so the housing would be attractive to those working in Newport
- Impact on tourism
- The area is busy due to the expansion of nearby tourism sites
- How can health and wellbeing be improved by building houses on this site
- Development would need to comply with the requirements of policy G3 in relation to developer contributions
- Where is the open book viability assessment (**Officer comment** – the applicant has agreed to provide policy compliant planning contributions and therefore a viability assessment is not required)
- No commitment by the developer to pay for additional infrastructure required
- The access to Steyne Park is not in the developer's gift
- Cannot see how the proposal complies with the UNESCO biosphere status of the Island
- No reference to energy efficiency or carbon reduction
- The application does not meet the tests of sustainability and community need
- Impact on stability of houses at the top of Lincoln Way due to chalk and clay
- Applicant has used software for plans that is not generally available for the public so that general public cannot access sufficient detail (**Officer comment** – the plans and supporting information are held on the Council's website and are fully available)
- Details of proposed s.106 agreement should be published as they are notoriously easy to get wrong
- None of the previous objections to the development have been addressed
- Technical issues remain unaddressed
- Not all consultee comments have been published
- Nobody wants a Judicial Review
- Local people are being ignored

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

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

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

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

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

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

## **7**      **Evaluation**

### Principle of the development

#### *Policy background*

- 7.1**      Paragraph 60 of the NPPF states that it is a Government objective to significantly boost the supply of housing. In addition, paragraph 69 of the NPPF reasons that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, because these are often built-out relatively quickly. The paragraph goes on to confirm that planning authorities should support the development of windfall sites through their policies and decisions. Paragraphs 77 and 78 of the NPPF explain that planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs and to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It adds that where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 7.2**      Policy SP1 of the Island Plan outlines that unless a specific local need is identified, development proposals outside of, or not immediately adjacent to the Key Regeneration Areas, Smaller Regeneration Areas or Rural Service Centres will not be supported. The Island Plan defines the application site as being outside of, but immediately adjacent to the settlement boundary for Bembridge, which is a Rural Service Centre. For new housing development within or adjacent to Rural Service Centres, policy SP1 confirms that a local need for the housing should be demonstrated. Policy SP2 of the Island Plan sets out an average need for 520 houses per year between 2011 to 2027, advising that 980 dwellings would be required through smaller-scale development at the Rural Service Centres and wider rural area over this period. Policy SP1 states that in relation to the Rural Service Centres and the Wider Rural Area, the Council expects to see smaller-scale development occur in sustainable locations, where a local need is identified.
- 7.3**      Bembridge Parish Council adopted a Neighbourhood Development Plan (the Neighbourhood Plan) in 2014 and this contains policies relating to housing development within the Parish. The strategic overview policies contained within the Neighbourhood Plan generally reflect those within the Island Plan and set out where new development should take place within the Bembridge Parish as well as the scale of development. Policy BNDP.OL.1 (Scale of Development) states that new development will be confined to small scale proposals which fall within any of the following categories and will be supported in principle:
- a) Housing development schemes of 1 to 9 units and not exceeding 0.5 hectares
  - b) Non-residential development not exceeding 1000 square metres floor space and site area not exceeding 1 hectare.
- 7.4**      Policy H1 of the Neighbourhood Plan is an extension of policy OL1 and states that new housing development within the Bembridge settlement boundary or immediately adjacent will be supported in principle provided it meets the criteria as set out in policy BNDP.OL.1 and is able to demonstrate it meets a local need, primarily as identified in the current Bembridge Housing Needs Survey.



## *Housing delivery and need*

- 7.5** Regarding proposed housing, the policy position set out within policies SP1 and SP2 of the Island Plan and policies BNDP.OL.1 and H1 of the Neighbourhood Plan should be taken in the context of the most recent housing needs assessment, Strategic Housing Land Availability Assessment (SHLAA) and the Council's Five-Year Land Supply Update 2021. The latter of these documents outlines at paragraph 7.12 that "the Isle of Wight Council considers that it cannot demonstrate a five-year land supply as at 1<sup>st</sup> April 2021.
- 7.6** Further to this, the Housing Delivery Test (published 19<sup>th</sup> January 2022) shows that only 58% of the housing need (when using the Government's Standard Method calculation) has been delivered on the Isle of Wight over the three-year period to 31<sup>st</sup> March 2021.
- 7.7** Paragraph 11 of the NPPF outlines that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking means:
- "(c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."
- The importance of the above paragraph relates to the footnote attributed to 'out-of-date' associated with section (d) which states: "This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."
- 7.8** The Council's annual monitoring reports and the Housing Delivery Test undertaken by the Department for Levelling Up and Housing and Communities (DLUHC) demonstrate that delivery over the last three years has been 58% and we therefore fall within both categories and the presumption in favour of sustainable development is applicable.
- 7.9** Under the current NPPF, to remove the presumption in favour of sustainable development, the Council must deliver a greater level of housing (above 75% of the required housing number using the Government Standard method) and/ or adopt an up-to-date development plan and still deliver 75% of any new yearly

target within that adopted plan. The NPPF provides guidance on the stage at which emerging policies can be attributed weight in decision making. Paragraph 49 of the NPPF states that in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

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

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

**7.10** Third party comments have suggested that determining the application in advance of the Island Planning Strategy would be premature. Paragraph 50 of the NPPF confirms that refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination. Considering criteria a) above, it should be noted that the application site is currently included within the housing allocations in the draft IPS and therefore officers consider that if approved, it would not undermine the plan-making process. Moreover, considering criteria b) and the advice contained within paragraph 50, members will note that the IPS is yet to be agreed by Full Council and therefore, has not been submitted to the Secretary of State for examination. Therefore, it is reasonable to conclude at this stage, that only minimal weight could be attributed to the emerging IPS and officers would advise that the policy context for determining the application is the Island Plan Core Strategy and the Bembridge Neighbourhood Development Plan.

**7.11** Officer's advice is that the lack of housing delivery means that the merits of housing development taking place in Rural Service Centres should be considered in terms of the sustainability of the particular site, with the acceptability of the scale of the development then based on an assessment of its impacts. In the case of this development, balancing the key considerations outlined within this report. Officers also consider that due to the housing delivery rates explained above, that the requirements of policy BNDP.OL.1 of the Neighbourhood Plan in terms of limiting housing proposals to 1 to 9 units and not exceeding 0.5 hectares, would undermine the Island's ability to deliver much needed housing (particularly affordable housing) within a village that is a sustainable location for housing development.

**7.12** The lack of housing delivery on the Island does not simply result in statistical issues for the Council. This also impacts on the ability for local people to purchase or rent the home of their choice. The Council's Housing Strategy advises that 'housing affordability and housing supply are and are set to remain the most challenging issues that the Island needs to address during the lifetime of this strategy and beyond'. The Strategy also advises that 'We know there is a particular need to recruit and retain skilled people to work in essential public services and local industries including construction for the longer-term recovery and economic sustainability of the Island. The lack of suitable housing to meet this aspiration has long been identified as a barrier to this and needs to be

addressed urgently.’

**7.13** The lack of housing delivery can, to an extent, be evidenced by the Council’s Housing Register. The Register, as of March 2023, included 2495 households Island-wide. The Register is divided into five bands, with those in the most urgent need falling into band 1, and those at the least level of need falling into band 5. There are 4 households falling into band 1, 285 within band 2, 1286 falling within band 3, 723 within band 4 and 197 within band 5.

**7.14** The Housing Register also provides statistics for specific areas of the Island. There are currently 696 households on the Register for Bembridge. The table below splits the number between the relevant bands, but also house sizes.

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

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

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

**7.16** In addition, Bembridge Parish Council undertook a Housing Needs Survey (The Bembridge HNS) in 2018, having been commissioned to understand residents’ current housing circumstances and their future housing aspirations for the period 2018 to 2023. The Bembridge HNS was informed by questionnaires delivered to all houses within the Parish, as well as other data, including the 2011 Census. The Bembridge HNS confirms that the advised outputs within it are minimum estimates, due to the response rate of the questionnaires, which was 11.6% (249 households out of 2139 surveyed). This rate of response is considered to be very low and much lower than that for the Parish’s 2013 HNS, which garnered 449 replies and found a higher requirement for housing. The 2018 Bembridge HNS indicated that there would be a net requirement for 37 open market dwellings within the Parish between 2018 and 2023. In the period 2018/19 to 22/23, permission was granted for 17 new dwellings (on small sites) and 23 new homes were completed. This indicates a shortfall of 14 market dwellings in that period against the identified figure. The 2018 Bembridge HNS did not identify a need

figure for market or affordable dwellings beyond 2023, and it is noted that the figures within the HNS were based on a relatively small response rate, and would not have included people who live outside of the Parish, but who may have a need to live within Bembridge. Regardless of this point, paragraph 5.36 of the Core Strategy, 'The Council considers that meeting the annual provision of 520 dwellings or housing trajectory number will not in itself be a reason for rejecting a planning application. Decisions will be taken on their merit and local circumstances, including longer term housing needs and affordability in an area'. This approach is also true of meeting any locally identified need figure.

- 7.17** The Council's Housing Need Assessment (The Council's HNA) was undertaken in 2018 and placed Bembridge within the Ryde sub-market area. The HNA found a need for 61 affordable houses per annum within the Ryde sub-market area (and 222 for the Island as a whole) with 152 open market dwellings required per annum within the sub-market (see tables 7 and 36 of the Council's HNA). The applicant's Design and Access Statement sets out their opinion relating to the local need for the development and refers to the information set out within the Council's 2018 Housing Needs Assessment (HNA), and the annual figure of 641 dwellings that this identifies for the Island, between 2016 to 2034. The applicant's information also refers to the housing delivery issues that the Island has faced in recent years, noting the findings of the Housing Delivery Test (see para 7.7 above) and the need to focus housing within sustainable locations.
- 7.18** Officers consider that local need referred to within the Island Plan should be seen as being Island-wide, due to the scale of the under delivery over a sustained period. However, the Bembridge HNS combines with the information contained within the Council's Housing Register and HNA to demonstrate a local need for the housing proposed, both in terms of the Island as a whole, but also for Bembridge in its role as a Rural Service Centre, taking into account the presumption in favour of sustainable development.

#### *Locational requirements*

- 7.19** While policy SP1 is a strategic policy in terms of housing, it does give important locational guidance in terms of focussing housing in the most sustainable areas and settlements as identified by the Key Regeneration Areas, Small Regeneration Areas and the Rural Services Centres, the use of brownfield land and economic led regeneration. The overall approach advocated within policy SP1 in terms of focussing development in the most sustainable locations is considered to be relevant in terms of the NPPF and its requirement to apply a presumption in favour of sustainable development.
- 7.20** Bembridge is a Rural Service Centre and therefore for the purposes of planning policy guidance, is a sustainable location for its community and housing provision. The village contains two shopping areas, with the main concentration of services and facilities being within the village centre and more limited range of services within Lane End Road, in the south-eastern area of the village. Between them, these two areas contain convenience stores, a butcher's, a fishmonger, a greengrocer's, a bakery, a florist, a hairdresser's, a library, a dental surgery, a doctor's surgery, public houses, restaurants and cafes, hot food takeaways, estate agencies, gift shops, a post office, a primary school, a community hall and churches. The village is therefore well served by the services and facilities

required by the local community.

- 7.21** The Chartered Institution of Highways and Transportation (CIHT) publication 'Planning for Walking' published April 2015 identifies at paragraph 6.3 'Land use planning for pedestrians' that 'Most people will only walk if their destination is less than a mile away.' It continues to explain that 'Walking neighbourhoods are typically characterised as having a range of facilities within ten minutes' walking distance (around 800 metres).' And that 'The power of a destination determines how far people will walk to get to it. For bus stops in residential areas, 400 metres has traditionally been regarded as a cut-off point and in town centres, 200 metres. People will walk up to 800 metres to get to a railway station, which reflects the greater perceived quality or importance of rail services.'
- 7.22** The application site is located 1km from the village centre, via Steyne Road and Foreland Road, and therefore while walkable via pavements could not be considered to be in close walkable proximity. Nonetheless, there is a bus stop located immediately west of the site within Hillway Road and another bus stop 100m east of the site within Steyne Road. These connect to the village centre, as well as St Helens (where there is an alternative school and doctor's surgery), as well as the towns of Sandown and Ryde. This route offers an hourly service between 06.30 to 23.30 hours on a daily basis. However, the site is within 600m of the shops in Lane End Road, which include a convenience store and post office, and the route is direct and served by lit pavements. In line with policy DM17 of the Island Plan, the development would be served by alternative means of transport to the car and therefore, provide increased travel choice.
- 7.23** Paragraph 79 of the NPPF states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.' Bembridge is identified in the Island Plan as a Rural Service Centre, owing to its strong mix of services and facilities and is therefore considered to be a sustainable location for additional housing. It is considered that the proposed development would provide benefits to the village, by providing additional residents, which would combine with the existing community to sustain local services and facilities. Moreover, the provision of affordable housing would be likely to provide a proportion of family housing, which could support the local school and other groups, such as sports teams, and the use of the local park, which is adjacent to the site.
- 7.24** In summary, the proposed housing development would be contrary to the guidance contained within BNDP.OL.1 of the Neighbourhood Plan, given the limits on the scale of housing development that this policy includes. Officers consider that there is an overriding need for housing across the Island given the lack of housing delivery over recent years, and that there is a need for housing within Bembridge, as evidenced by the Parish Council's HNS, the Council's HNA and Housing Register, that combine to outweigh the policy approach set out in BNDP.OL.1 of the Neighbourhood Plan.

#### *Brownfield land*

- 7.25** It should be noted that there are not considered to be sufficient brownfield sites

available to accommodate the level of development required to deliver the housing needs for the Island and therefore, in many cases new housing development will take place on undeveloped land. Regarding the potential for housing to be located on previously developed land (brownfield land) within the settlement boundary, the Council's Brownfield Register includes two sites within Bembridge. The first is the former Bembridge C of E School, however this site was redeveloped several years ago, providing 13 houses. The second relates to Raffles, a large building within Steyne Road that has been used as accommodation for staff at a nearby holiday park. That site is the subject of a current planning application that seeks to redevelop the site with 9 flats.

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

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

#### *Conclusion on principle*

**7.28** In conclusion, while the proposals would be contrary to policies BNDP.OL.1 and H1 of the Neighbourhood Plan, officers consider that when taking account of the lack of housing delivery over a number of years and the presumption in favour of sustainable development, there is an overriding need for housing across the Island and that when also considering the data contained within the Council's Housing Register, there is a clear need for open market and affordable housing within Bembridge. The applicant has provided information relating to the need for proposed housing, which reflects the opinion of officers. The application site is located immediately adjacent to the settlement boundary for Bembridge, a Rural Service Centre, and adjoins significant areas of existing housing. The site would benefit from a choice of transport links to the many services and facilities within Bembridge.

**7.29** The application is proposing 56 dwellings, and it is considered that this number of houses would make a meaningful contribution towards housing within the East Wight, which would weigh substantially in favour of the application. The proposal is therefore considered to comply with the advice contained within policy SP1 of the Island Plan when considering the advice contained within the NPPF. It does

not follow, however, that planning permission will automatically be granted for such applications as the balance between the benefits and harm of any proposal will still need to be given careful consideration when the decision-maker arrives at their decision.

### Mix of housing and tenure

**7.30** Policy DM3 of the Island Plan states that the Council will support proposals that deliver an appropriate mix of housing types and size. The policy requires proposals to accord with the most up to date Strategic Housing Market Assessment. This requirement is reflected by policy BNDP.H.1 (New Housing Development) of the Neighbourhood Plan, which requires housing developments to demonstrate that they meet a local need, primarily as identified in the current Bembridge Housing Needs Survey. Policy DM4 (Locally Affordable Housing) of the Island Plan requires major housing schemes to provide a minimum of 35% on site affordable housing.

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

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

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

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

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

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

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

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

- One bedroom – 41%
- Two bedrooms – 39%
- Three bedrooms – 19%

Four+ bedrooms – 2%

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

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

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

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

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

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

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

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

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



sub-market, such as Ryde.

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

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

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

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

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

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

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

delivering a mix of affordable housing and housing for local people.

#### Loss of agricultural land

**7.41** National guidance in respect of the classification of agricultural land and its protection is contained within the Natural England Technical Guidance Note (Agricultural Land Classification: protecting the best and most versatile agricultural land) and within the NPPF. The Technical Guidance Note makes it clear that decisions with respect to the protection of the best and most versatile agricultural land rest with Local Planning Authorities and Government Guidance. To guide decision making, agricultural land is classified into five grades, which are as follows:

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

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

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

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

### Impact upon the character of the surrounding area

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

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

### *Landscape and visual impacts*

**7.46** The application site is formed by relatively level fields, that edge the south-western edge of Bembridge. The fields share a similar land level to the residential development to the north and east, with land further west sloping gradually away from the village towards Hillway, Bembridge Airport and Whitecliff Bay. The area west of the site has a pleasant rural feel, with Hillway Road edged by woodland and hedgerows. The areas north and east form part of the existing village and include housing with generous gardens. Land to the south is again developed, but at a lower density with properties enclosed by large hedgerows.

**7.47** Because the western side of the road is enclosed by woodland, views are generally directed to the east and so across the fields that form the application site. Those views have a rural feel and because the site is relatively wide, with intervening hedgerows and trees, there is a sense of depth when appreciating the farmland. But the landscape does not feel isolated, because there is an appreciation of the existing housing to the east, and as one travels further north this appreciation of the presence of development becomes increasingly apparent. When travelling south, the backdrop is more rural.

**7.48** The proposals show that the fields would be developed to provide housing, which would clearly change the character of the immediate area, and particularly when seen from Hillway Road. Views would change from those across fields towards the village edge, to views instead of readily apparent housing arranged in rows in close proximity to the highway and the new means of access from Hillway Road. This would effectively roll the village edge west, to Hillway Road. There would, however, be mitigating factors that would assist in reducing the visual impact of the development when seen from Hillway Road.

**7.49** Firstly, the plans show that deep gardens would be provided between the western boundary and housing closest to the highway allowing a sense of space and resulting in the housing appearing less prominent. The landscaping plans and ecology report outline that the hedgerow alongside the road and the large lines of roadside trees would remain, and in particular the trees would screen some views and break up views, while the hedgerows would retain the soft edge to the highway and provide some screening. The proposed access onto Hillway Road would remove a section of the hedgerow and allow clear views of the housing, and new highway arrangements although the landscape plans show that hedgerows would edge the new highway, again reflecting the more rural character of the village and softening the appearance of the development.

- 7.50** Nonetheless, the development would be readily noticeable from Hillway Road and substantially and fundamentally alter the current views of farmland, with set-back housing beyond, to views of housing at close quarters. This would result in significant change to the landscape character of the immediate area, which when considering the mitigating factors outlined above, would in officer's opinion result in a moderate but material level of harm.
- 7.51** The officer site visit showed that the site is not readily visible from the landscape immediately to the south and in particular from Howgate Road and the AONB landscape to the south and east. That is due to the high intervening hedgerows and trees that form the southern boundary of the site and that enclose Howgate a large property immediately to the south. When within Howgate Road, the existing properties that adjoin the site are not visible, and therefore, the development could not be seen from these areas, and would therefore not cause harm to the immediate landscape to the south and southeast.
- 7.52** Steyne Road is located to the north of the site, and this is a residential area, with the north and southern sides of the road aligned by housing in a relatively close-knit fashion, with the majority being two-storey in height. The site frontage onto Steyne Road previously formed a gap in the urban frontage, between Popes Cottage and a detached bungalow to the east. However, planning permission has been granted for nine houses on this land, forming a relatively dense frontage of two and one and a half storey housing that would largely screen the development. Limited views of the development would be possible between Popes Cottage and Damson Cottage, which are adjacent to the north-western corner of the site, and which are separated by garden areas with limited boundary screening. However, these views would be seen in the context of the already built-up Steyne Road, with the proposed housing set back behind existing housing. Thus, the development would have a limited visual impact when seen from Steyne Road, causing change that would be largely imperceptible.
- 7.53** The area of land to the east of the site includes the large residential estate around Lincoln Way and Brook Furlong. These are densely laid out areas of single storey housing development, arranged around open plan estates, with housing backing onto the recreation ground that adjoins the eastern site boundary. The proposed housing would be apparent from the gardens and some of the housing to the east (including from rear elevations of houses in Steyne Road, Lincoln Way and Downsview Road). But these views would be from oblique angles and at increasing distance, with the eastern boundary hedge screening much of the elevations of the proposed housing. Views would therefore be of a new roofscape, in views containing existing housing and therefore, the level of change from these areas of housing would be minor.
- 7.54** When within the recreation ground, more direct views to the west would contain the proposed housing. Again, the eastern boundary hedges would mitigate the appearance of the development, with existing trees and the set back of housing from the boundary further reducing its prominence. Views would therefore be of upper elevations and roofing. This would alter existing views but to an extent that would be limited and mitigated by the already surrounding housing. It is considered by officers that the development would result in minor harm when seen from the east. When beyond the recreation ground views of the site would not be possible.

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

#### *Design and layout*

- 7.59** Policy DM2 (Design Quality for New Development) states that the Council will support proposals for high quality and inclusive design to protect, conserve and enhance the Island's existing environment while allowing change to take place. The policy states that development proposals will be expected to provide an attractive built environment and be appropriately landscaped.

**7.60** Policy BNDP.EH.1 of the Neighbourhood Plan requires development to respond positively to the local character of its environment, demonstrate a high quality of design and a good standard of amenity for existing and future occupants of the land and buildings. This advice is reflected by policy BNDP.D.1 which states that development proposals will be expected to be of a design that:

(a) complements and enhances where appropriate the prevailing size, height, scale and mass, materials, layout, density and access of the existing surrounding development

(b) demonstrates that the development reflects the existing character of the locality

as defined in the Bembridge Design Character Appraisal document

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

(d) provides an appropriate level of landscaping which complements and enhances the character of the local area.

**7.61** The plans show that the site would be laid out in a relatively low-density manner. The eastern side of the site adjoins the edge of the village and here, there would be a row of dwellings laid out in relatively compact line, but this area of the site would be less visible and comparable to the housing to the southeast (Nansen Close and Lincoln Way) as well as housing within nearby Steyne Road. The central and western areas of the site would be laid out in a more spacious fashion, with greater separation between properties, and larger rear gardens. Small front gardens would also be provided, combining with the proposed access roads and pavements to provide good separation distances between the facing front elevations of houses. This would allow street scenes to appear more spacious, allowing for tree planting and landscaping that would soften the appearance of the overall development.

**7.62** The housing that would occupy the western boundary of the site would include particularly deep gardens, allowing a significant degree of space between rear elevations and nearby Hillway Road, with a boundary hedge and mature trees between. Unit 39 would be closer to the highway, but this has been designed to be a chalet bungalow, with its side elevation adjacent to Hillway Road. There would be a hedge and grass verge adjacent to the highway and this would preserve the sense of space and prevent the property from appearing dominant within the street scene.

**7.63** The plans show that the site would include significant additional tree and shrub planting to build upon the retained mature trees and hedgerows. The Landscaping Strategy shows that dwellings would include front hedgerows, with higher hedgerows to separate rear gardens and blocks of housing. These would combine with proposed street trees and gardens to allow the development to provide a transition between the urban areas of Bembridge to the east, and the countryside to the west.

- 7.64** Moreover, the plans show that the site would include significant areas of open space. The southern section of the site would include a belt of open space, arranged around existing mature trees and this would blend with a proposed pond to provide a rustic and attractive vista, across the site from the new access onto Hillway Road. This would combine with the large gardens that would surround units 61 to 65 to provide a low density and well landscaped appearance.
- 7.65** In addition, a further area of open space would be provided to the north of the site. Again, this would be arranged around retained mature trees, providing a link between the site and the woodland to the west. This network of open spaces, mature trees, hedgerows and additional planting would reduce the visual impact of the housing, while providing a high-quality landscaping scheme, that due to the existing mature trees and hedgerows, would, in part, be in place from an early stage of the development, should it be approved.
- 7.66** Officers are satisfied that the proposed housing would be laid out in a suitable manner, to prevent issues of overlooking or lack of natural light between each property. Each property would comprise a suitable garden area, with outlook onto the proposed and retained hedgerows and trees. In addition, parking areas have generally been designed to be between properties, preventing the areas to the front of housing from appearing car dominated, and allowing most properties to include front garden areas, which would add to the landscaped approach for street scenes, that would allow the site to reflect its rural surroundings and the character of the existing village. Officers consider that it would be reasonable to apply conditions to retain the open landscaped nature of the areas to the front of properties, while also removing permitted development rights for curtilage buildings, which would allow the Planning Authority to regulate the design and layout of site in future.
- 7.67** Hampshire Police's Designing Out Crime Officer has concerns regarding a proposed pedestrian link between the site and Steyne Park. The plans show that the link would be located to the east of the entrance to the site, adjacent to unit 10. While this would be a positive addition to the development, allowing direct access to the park, the route would be narrow and enclosed. It is noted that there have been reports of anti-social behaviour within Steyne Park, and therefore the comments provided by the Police are noted. Officers therefore agree that this element of the scheme should be removed, and that the amenity area for plot 10 should be extended into the area, currently shown for the link. This issue could be controlled by condition.
- 7.68** The Officer has also referred to the proposed bus stop, to be sited adjacent to Hillway Road, between plots 47 and 48. The bus stop would be located within a wide area of open space, which would allow an attractive vista towards the open space and mature trees further east. The Designing Out Crime Officer has advised that there would not be suitable surveillance of the bus stop to allow it to be fully enclosed, and therefore has commented that it should include a single (possibly glazed) elevation and roof. Officers agree with that approach and consider that the final design for the bus shelter could be agreed by condition.
- 7.69** The site is not within the AONB landscape but is within close proximity to it. To protect the rural character of the area, and the nearby AONB it would be

important to ensure that the development would not result in detrimental levels of light pollution. Lighting is also an issue referred to by the Designing Out Crime Officer and officers consider that should consent be granted, the detailed design and location of lighting could be provided via conditions. This would allow the Planning Authority to control the method of external lighting and to ensure that suitable design measures would be put in place to prevent glare or light spillage.

- 7.70** In terms of design, the submitted plans show that the housing would comprise a relatively traditional appearance. Several house types have been proposed, with a variance of two storey houses and bungalows. The plans show that the proposed bungalows would have an arts and crafts appearance, with traditionally styled windows and design details such as faux timber detailing for gables, porch detailing and dormer windows. These design features would provide visual interest, breaking up elevations and the mass of these properties. The bungalows have been shown to be located within the southern section of the site, set within large gardens, surrounded by open space and landscaping. This would provide a high-quality street scene, that would reflect the more historic eastern edge of Bembridge where there are arts and crafts style properties set within large curtilages.
- 7.71** The two storey houses would occupy the denser sections of the site, and these have been designed to reflect the more recent inter-war housing that is close to the site, within Steyne Road. Pairs of semi-detached houses have been designed in two different ways. The first would have a simpler design approach, with flat front elevations, enlivened by porches for each unit, brick detailing and traditional four-pane style windows. The second type has been designed to appear as a single larger house, that would comprise a two-storey bay window and pyramidal roof, with one front entrance and another on the side elevation. The proposal would also include detached two-storey houses. These would again have a traditional appearance with one design variation including bay windows, a pyramidal roof and porch detailing, to reflect the similar houses within Steyne Road.
- 7.72** Officers consider that the proposed design approach would be acceptable and reflect the characteristics of housing in the locality. Elevations would be well balanced, and the mix of design features outlined above would result in housing that would have an attractive and acceptable appearance. The variety of design approaches and the spreading of different unit types throughout the site would prevent uniform and bland street scenes. Instead, the street scenes would appear coherent, but with suitable variety. Moreover, the rows of houses have been positioned carefully, to provide interesting vistas which would combine with the proposed front gardens, hedgerow and tree planting to provide a rural appearance to the development.

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

- 7.73** Officers consider that the design and layout for the development would be acceptable, reflecting the characteristics of nearby housing and the pattern of development to the north and east of the site. The site would provide a transition between the village to the east and countryside to the west, with housing on the western side of the site set back from the retained line of trees and hedgerow onto Hillway Road. Moreover, the provision of open spaces, hedgerow planting



and additional tree planting would provide street scenes that would reflect those of the existing village. The design and layout for the development is therefore considered to comply with the design related policies contained within the Island Plan and Neighbourhood Plan.

**7.74** Officers consider that the development would not be readily visible from distant vantage points due to the screening effects of woodland close to the site, and the topography of the landscape surrounding Bembridge. The development would be most visible from close proximity and in particular from Hillway Road, which aligns the western boundary of the site. From here, the current landscape of attractive farmland would be changed to an urban area, with rows of houses arranged around estate roads and gardens.

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

#### Impact on neighbouring properties

##### *Impact on properties*

**7.76** To the west of the application site is Steyne House, set in a large parkland setting and its boundary that is adjacent to the application site is formed by an area of woodland, which includes a dense understorey. Officer site inspections showed that this woodland would screen the development from this property and its curtilage and when combined with the separation distance of approximately 60m, the development would not impact on this property, in terms of overlooking, dominance, loss of light or privacy.

**7.77** To the south of the site are Howegate and Howgate Orchard. Howegate, a large farmhouse, is set significantly south of the site within a large curtilage, and there is a thick hedgerow that aligns the southern boundary of the application site, that blocks views of Howegate. In between this house and the site is ornamental woodland that would further screen the development, meaning that there would be a very minor visual relationship between the property and its curtilage, and the proposed development. There are several properties located close to Howegate, but these would be more distant from the development and also benefit from the screening effects of the landscaping within this area.

**7.78** To the east, is Howgate Orchard, a modern dwelling set within a landscaped garden that was previously part of the curtilage of Howegate. This property was granted planning permission in 2019 (P/00282/19) and is located closer to the development site, with the rear (northwest) elevation of the property facing towards the southern end of the application site. The hedgerow in this section of the site is thinner, lower and formed of undergrowth rather than a more readily maintained hedgerow. The development would be visible from this property, both

from its garden and first floor windows, which serve a mix of bathrooms, dressing rooms and bedrooms. However, the current vegetation, combined with an intervening orchard within the ground of the property would result in dappled views and the submitted plans show that native hedgerow and specimen tree planting would be planted to reinforce the boundary.

- 7.79** Officers consider that even based on the current boundary treatments, when combined with the set back of Howgate Orchard, the development would not compromise the amenity of this dwelling, but with the proposed landscaping established, impacts would be minor. Moreover, the plans show that the properties within the southern section of the site would be lower, one and half storey houses set within generous gardens with a suitable separation distance provided between the dwellings and the southern boundary, to prevent issues of overlooking, dominance, loss of light or privacy to Howgate or Howgate Orchard.
- 7.80** Southeast of the site are properties within Lincoln Way and Nansen Close. Number 54 Lincoln Way is located hard against a strip of mature woodland that forms the south-eastern boundary of the site, and there is a line of three houses that face onto the site set further south within Lincoln Way. However, the mature boundary vegetation would screen the development from these properties. This finger of woodland forms approximately 70m of the eastern boundary of the site, extending north from Lincoln Way, and would screen the closest section of the development from properties within this close, with separation distances also preventing issues of loss of light, outlook or privacy so that the impact of the proposed houses on those within Lincoln Way would be minor. The remainder of the eastern boundary is formed by a hedge, and while lower in height than the woodland, there would be a significant distance between those properties that were visible, and this would mitigate any potential impact.
- 7.81** Nansen Close is located further south than Lincoln Way, with modern two storey houses laid out in a quadrant that is off set from the southeast corner of the application site. The boundary hedges and trees thin out within the south-eastern corner of the site, so that the houses within the north-western corner of Nansen Close would have dappled angled views of the proposed housing development. However, the plans show that the nearest property (unit 65) would be located approximately 8m from the site boundary, and approximately 12m from the nearest house within Nansen Close. Officers consider that the existing hedgerow and trees that align the south-eastern corner of the site would screen the development to a large extent, noting that unit 65 would be a bungalow. Therefore, it is considered that the development would result in a minor impact on properties within Nansen Close.
- 7.82** A recently approved development of nine houses would be constructed to the north of the site, with the proposed northern site access running to the east of these properties. Officers consider that there would be adequate space between the proposed and approved dwellings to ensure that suitable living standards would be provided for prospective occupants of either development.
- 7.83** Northwest of the site are two properties, that are located close to the roundabout that forms the junction of Steyne Road and Hillway Road, known as Damson Cottage and Popes Cottage. Popes Cottage is a detached one and a half storey

dwelling, with its main elevation facing west. This property's curtilage is adjacent to the application site with an outbuilding between the southern elevation of the property and the northern site boundary. Damson Cottage is a more modern bungalow, which faces west onto Hillway Road and its garden to its eastern side, wrapping round to the north towards Steyne Road. The southern boundaries to these properties are open and denoted by stock fencing, allowing open views across the fields. Units 47 to 51 would be located to the south of these properties and would include two storeys.

**7.84** The proposed houses would alter the outlook from Damson Cottage and Popes Cottage, particularly from their gardens and side elevation windows. However, officers consider that there would be sufficient space between the existing and proposed properties, to prevent material harm, particularly as the main garden areas serving both properties are further north and away from the development. In addition, it is considered that there would be sufficient separation distances to prevent issues of loss of light or privacy, when considering the boundary treatments that would be provided.

**7.85** Steyne Road Recreation Ground is located to the east of the site however, to the northeast of the site are houses that front onto Steyne Road. Those within closest proximity to the proposed housing are numbers 59, 61 and 63 Howgate Road. The rear elevations of these houses would be at right angles to the house that are proposed to occupy the eastern boundary of the site, meaning that there would only be oblique views of rear gardens from first floor windows. The closest of the proposed houses to existing properties (units 10 and 11) would be located approximately 48m from number 63 Howgate Road, with the end its garden 18m from these units. Each of these properties comprise curtilage buildings on their rear boundaries and these, when combined with the angled relationship with proposed properties and the high hedge that forms the eastern boundary of the site would prevent loss of privacy, while separation distances would prevent the proposed development from appearing overbearing.

#### *Air quality*

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

#### *Construction and transport impacts*

**7.87** Larger developments can give rise to a temporary loss of amenity as a result of construction activities. Therefore, noise and dust emissions could impact on the

properties closest to the site. The development has the potential to take up to three years to be completed, and it is a standard approach to impose a planning condition to control associated impacts, allowing the Planning Authority to control delivery and working times, the location of site compounds and to secure phasing of the development. These controls would limit impacts to an acceptable level. Therefore, an appropriate condition has been recommended.

**7.88** The proposed means of access via Steyne Road would be located between the recently approved housing development and number 63 Howgate Road. The applicant's Transport Assessment predicts that the development, once fully operational, would generate up to 29 two-way trips during the morning peak hour, and 33 two-way trips during the evening peak hour (when residents are driving to and from work for example). It should be noted that residents would have the choice to use the alternative access onto Hillway Road, thus in likelihood the number of traffic movements via the Steyne Road access would be diluted. Even if all traffic did use the access onto Steyne Road, the busiest hours would generate potential for one vehicle movement per minute, which would be a relatively low level, with traffic movements for remaining hours being lower. The properties located adjacent to the proposed access front onto an existing highway, and therefore it is considered that traffic associated with the proposed housing would not cause harmful disruption as a result of the proposed means of access.

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

#### Impact on heritage assets

**7.90** Policies DM2 and DM11 of the Core Strategy state that the Council will support proposals that positively conserve and enhance the special character of the Island's historic and built environment and which preserve or enhance heritage assets and their settings. Furthermore, sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places duties on the Council in the exercise of its planning functions to pay special regard/attention to the desirability of preserving a listed building, its setting, or any features of special architectural and historic interest which it possesses.

**7.91** Heritage assets include conservation areas, listed buildings, registered parks and gardens, scheduled monuments and locally listed buildings. The application site is not the subject of these designations and is located within an area of countryside adjacent to residential development. However, Howgate (also known as Howgate Farm) and Steyne House are grade II listed buildings located to the south and west of the site. The heritage section of the applicant's Design and Access Statement considers the impact that the development would have on these heritage assets.

**7.92** When considering the impact on the significance of a designated heritage asset, the NPPF advises that great weight should be given to the asset's conservation

(and the more important the asset, the greater the weight should be). It adds that any harm to, or loss of the significance, should require clear and convincing justification and that in terms of substantial harm to an asset, consent should be refused, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following circumstances set out in paragraph 201 of the NPPF apply. Where there would be less than substantial harm, the NPPF requires this harm to be weighed against the public benefits of the proposal.

### *Steyne House*

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

### *Howegate*

- 7.96** The listing description for Howegate confirms that it was previously a farmhouse, built in 1722 of Bembridge stone rubble, under steep clay tiled hipped roofs. The house is attractive and imposing within its grounds and comprises three main sections, the first two combining to form a square shaped footprint, with a centrally placed two storey off-shut from the rear elevation. The main aspect of the house is southeast, with the rear elevation facing the application site, with gardens, a swimming pool and woodland between. The listing description refers

to a modern conservatory, which is located on the western rear elevation and an attached 20<sup>th</sup> Century loggia, which were both deemed to be not of special interest. There are two curtilage structures to the east of the main farmhouse, one being a one and half storey cottage, of similar but much smaller design to the farmhouse and the other a later store, with a clay tiled roof which is set some distance from the farmhouse but connected by the single storey loggia. These combine to form a small courtyard, which is slightly visible from Howgate Road via a narrow access.

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

#### *Bembridge Windmill*

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

#### *Archaeology*

- 7.100** The Council's Archaeological Officer has advised that the application site is of unknown potential for below ground archaeological deposits, and that as a result,

an archaeological evaluation would be required should the site be bought forward for development. The Officer has advised that there has been little archaeological investigation in the vicinity of the site, and that most historic environment records relate to built heritage assets of post medieval and dating from the 19/20th centuries, along with findspots of artefacts that are derived from the eroding cliff edge.

- 7.101** Historic mapping and aerial photographs indicate that if below ground deposits are present, they are likely to be relatively undisturbed by cultivation, or previous development. In view of this, and due to the scale of the development, should the application be successful the Archaeological Officer has recommended that a programme of archaeological works is carried out during the development. This should include a pre-commencement trial trench evaluation, the results of which will inform any further mitigation which may be required. The Officer has advised that any geotechnical site investigations should be carried out under archaeological supervision as these can encounter archaeological deposits and further inform the mitigation strategy. As a result, the Officer has recommended conditions to secure trial pit evaluations, the submission and agreement of a Written Scheme of Investigation and notification of commencement.

*Public benefits/ conclusion on heritage assets*

- 7.102** Having regard to the above, the proposal would result in less than substantial harm to the significance/setting of Steyne House, its parkland and curtilage listed buildings (grade II\*), Howegate and its curtilage buildings (grade II) and no harm to Bembridge Windmill (Grade I). This level of impact must be weighed against the public benefits of the proposed development, with great weight afforded to the conservation of these assets and their settings within this balancing exercise.
- 7.103** The proposed development would make use of land to provide housing that would socially benefit the community in terms of meeting the Island's identified housing delivery shortfall and local housing needs, including for affordable homes. There would also be economic benefits during construction phases and environmentally in terms of the provision of landscaping within the site, biodiversity net gain, and offsite highway and rights of way improvements, delivered directly and indirectly through the proposed development. Officers are mindful of the impacts referred to above, have given this due consideration, and conclude that the public benefits of the scheme combined would outweigh the less than substantial harm to the significance/setting of Steyne House (including its parkland and curtilage listed buildings) and Howegate and its curtilage buildings. The proposal is therefore considered to comply with the requirements of policies DM2 and DM11 of the Island Plan and the relevant guidance with the NPPF. In terms of the overall balance of consideration for this development, this matter is considered to be a neutral factor, neither weighing for or against the proposal.

Ecology and trees

*Ecology*

- 7.104** The application site is not the subject of ecological designations, and its current use is as improved pastureland that is used for grazing cattle. The nearest site

designated for ecological reasons is Steyne Wood Site of Importance for Nature Conservation (SINC), which is 250m to the west. The site does include mature hedgerows and a collection of mature protected trees.

- 7.105** The applicant has provided an Ecological Impact Assessment. This report confirms that both desktop and field surveys were undertaken by a qualified ecologist, with the field surveys identifying that the site is improve grassland surrounded by hedgerows and matures trees. The site surveys found the site had no water features apart from a ditch and did not show evidence of protected species such as badgers, dormice, reptiles, amphibians, hare, red squirrels or hedgehogs. However, the boundaries were shown to be suitable for nesting birds and the site is used by bats for feeding and commuting, but not roosting.
- 7.106** The report concludes that while the development would result in the loss of grazed grassland, the retention of boundary vegetation, central mature trees and the ditch, that ecological harm could be avoided. The report outlines the following mitigation and enhancement measures:
- Retention of boundary hedgerows with enhanced planting
  - Planting of hedgerows at residential boundaries with native species
  - Installation of a pond/ swale
  - Planting of native tree and shrubs across the site
  - Enhancement of commuting and foraging corridors across the site
  - Species specific bird and bat boxes incorporated into the development
- 7.107** At the request of officers, the applicant has provided greater detail in respect of landscaping for the development. The landscape strategy shows that a network of habitat buffers and native hedgerows would be provided throughout the development, with hedgerows measuring up to 0.6m high to front onto the highways combined with further 1.8m high hedgerows to separate rear gardens and blocks of housing. The information confirms that native species would be used to plant hedgerows, including beech for front hedgerows with evergreen species used for the higher 1.8m hedgerows, including oleaster, privet and photinia. Officers would query the use of some of these species and would prefer a mix of such species and native deciduous species to reflect the existing hedgerows in the area but consider that a final landscaping scheme could be secured by condition.
- 7.108** The plans also show that a network of new tree planting would be undertaken throughout the site, to link the retained mature trees. The information confirms that new trees would include oak and ornamental garden trees such as maple, serviceberry, cherry, hawthorn and whitebeam. The Council's Ecology Officer has confirmed that the landscaping strategy would be satisfactory and that ecological corridors would be secured throughout the site.
- 7.109** The Ecology Officer has advised that a net gain calculation should be provided to ensure that Biodiversity Net Gain (BNG) could be achieved (a 10 per cent enhancement based on the baseline value of the site). While not currently a legal requirement, officers note that BNG is likely to become adopted policy in 2024 and therefore consider that it would be reasonable to impose planning conditions requiring BNG to be secured. In addition, the Ecology Officer has recommended that a Biodiversity Mitigation Plan is provided by condition, to ensure that all legal



and policy conservation obligations are met for all stages of the proposed development. Officers agree with this suggestion and therefore a condition has been recommended.

- 7.110** The site is within the Solent Special Protection Area (SPA) Buffer Zone where proposals that would result in a net increase in overnight residential accommodation are expected to contribute towards the Solent Recreation Mitigation Strategy (SRMS) to mitigate for potential increased recreational pressure on protected species of birds with the SPA as a result of the development and other residential development within the buffer zone. The applicant has agreed to enter into a planning obligation to secure this contribution in accordance with the SRMS, thus mitigating impacts.
- 7.111** Natural England has published standing advice relating to issues of high levels of nutrients within the Solent water environment, which have resulted in dense mats of green algae in coastal areas. The Southampton and Solent Water Special Protection Area (SPA) is an important habitat for protected species of birds, which use the coast for feeding. Natural England's concern is that the nutrients levels have resulted in algae in coastal areas, which prevent protected species from feeding. Natural England's standing advice is that these issues are caused by wastewater from housing and agriculture.
- 7.112** Natural England's current advice is that development should not add to existing nutrient burdens on designated sites and thus, achieve nutrient neutrality. As set out within the Council's Position Statement: Nitrates, in respect of the Island, this can either be achieved through draining development to the Wastewater Treatment Works (WwTW) at Sandown or other works on the south of the Island (which discharge away from the Solent) or for the developer to demonstrate nutrient neutrality.
- 7.113** In this case, the applicants have confirmed that the site would be connected to the public sewer system. Southern Water have confirmed that this sewer is served by Sandown Wastewater Treatment Works and therefore would discharge into the English Channel and not the Solent. However, during the assessment of the planning application, the Planning Authority received a Foul Drainage Assessment conducted on behalf of third-party objectors. This raised concerns that the proposed development would result in nutrient enrichment of the Solent European Sites, on occasions when the local sewerage network was at capacity, leading to discharges of wastewater from combined sewerage overflows (CSOs) into the Solent.
- 7.114** Bembridge is served by a mixture of separate and combined foul and surface water sewerage systems and the flows from those with foul water are conveyed to the Sandown WwTW by a pump station and CSO located to the east of the site, at Lane End Bembridge. The third-party Drainage Assessment raised concern that this had released untreated sewage into the Solent at times of heavy rainfall, when the local system was working beyond capacity. Information within the third-party Drainage Assessment advised that on average, the CSO at Lane End resulted in 48 spills per year, between 2020 to 2022.
- 7.115** Officers have undertaken an Appropriate Assessment (which can be viewed by clicking on the hyperlink to the Planning Register [21/01884/FUL](#) ) and liaised with

Southern Water to understand the issue related to the CSO at Lane End. This is an existing situation, and it should be noted that discharges to the Solent from the CSO are lawful being covered by a permit issued by the Environment Agency. However, that permit was issued prior to Natural England's concerns regarding the impact of nutrients on designated sites and it is noted that the proposed development would direct waste water to the combined system and so potentially increase the level of nutrients overflowed into the Solent, on occasions.

- 7.116** The Planning Authority is not the only competent authority with responsibilities for dealing with nutrient pollution under the Habitats Regulations. The Local Government Association (LGA) advises within their document 'Habitats Regulations Advice for LPAs' that 'similar considerations apply, for example, to the Environment Agency and statutory undertakers when granting environmental permits and consents.' The LGA advises that '...under the latest (May 2022) Water Industry Strategic Environmental Requirements technical document ("WISER") that, in order to comply with their obligations under the Habitats Regulations, they [water companies] must take account of predicted growth in housing development in their business plans and maintain and upgrade their wastewater systems in that light.'
- 7.117** The LGA advises that 'WISER also tells water companies if they expect that predicted levels of housing growth will result in deterioration against the relevant water quality standards downstream of their discharges, they must inform the Environment Agency and apply for a permit variation. It will then be up to the Environment Agency to decide whether to adjust the relevant permit limits.' While officers are aware that Southern Water will need to undertake improvements to the sewerage network to reduce harm to Solent European Sites due to nutrient enrichment, this would amount to mitigation and there is no fixed date when such works would take place. Adopting the precautionary approach required by the Habitat Regulations, the Appropriate Assessment concludes that the issues related to CSO events at Lane End, would have the potential to result in a Likely Significant Effect on designated sites. This is because at the current time, the Planning Authority cannot assume that the Environment Agency's permitting regime is operating effectively to prevent harm.
- 7.118** The Appropriate Assessment therefore considers separately whether mitigation measures would reduce potential harm to Solent European Sites. Using Natural England's nutrient calculator, which adopts a precautionary figure of 2.4 people per dwelling, the proposed development (56 dwellings) would result in a potential population increase of 135 people, compared to the existing population of Bembridge (circa 3561 residents based on 2021 Census). The applicant has calculated that the development would result in an increase in foul flows to the combined system of 0.53 l/s. Southern Water's flow rate calculator calculates an increased flow rate of 0.51 l/s to the combined sewer. Officers consider that these are very small amounts.
- 7.119** The drainage section of this report (paras 7.148 to 7.157) sets out that the development would assist in significantly reducing flows of surface water to the sewerage system within Bembridge, by attenuating surface water during storm events. This is important, because Southern Water have confirmed that CSO events at Lane End are caused by excessive amounts of surface water entering

the sewerage system. The Council's Section 19 Flood Investigation found that the application site contributed to the surface water flows in the Steyne Road area. However, the drainage strategy for the development would reduce current flows from 35.4 l/s to 22.31 l/s, thus reducing the contribution that the site makes to surface water flooding in the area and diminishing flows to the sewerage system.

**7.120** The application site is currently used for dairy farming. Natural England has confirmed within its strategic advice relating to nutrient levels within the Solent, that the main contributor is the agricultural industry. Dairy farming of the application site has been calculated to result in a nutrient leachate rate of 36.2kg per annum per hectare whereas for the proposed residential use, this would reduce to 14.3kg per annum per hectare, based on 56 dwellings. The application site covers an area of 4.38 hectares and as a result, its redevelopment would result in a nutrient saving of 95.92kg per annum and reduce not only flows of surface water to the public system at times when overflow events are likely to occur at the Lane End CSO, but also significantly reduce the amounts of nitrates contributed by the site, owing to the change of use of the land. While the development would be phased, each section of land changed from farming to housing would result in this reduction in nutrients.

**7.121** Provided a planning condition is imposed to ensure that foul drainage from the development would only be disposed of via the public sewer served by Sandown WwTW, and surface water was dealt with via SUDs it is concluded that the proposed development would not add to existing nutrient burdens in the Solent, and therefore avoid impacts to Solent International Sites. Natural England have confirmed that they agree with the conclusions of the Council's Appropriate Assessment, subject to mitigation being controlled via conditions or obligations.

#### *Trees*

**7.122** Policy BNDP.EH.4 of the Neighbourhood Plan states that new development that will cause the loss of or damage to trees, woodland or hedgerows (including hedgerows of importance) that contribute positively to the character and amenity of the area, must demonstrate there is an overriding need for the development proposed.

**7.123** The application site includes several groups and individual specimens of protected trees, along with a woodland adjacent to the southern and eastern boundaries. This woodland along with the hedgerows at the site, contribute to the rural character of the area, and are shown to be retained, apart from one hedge that subdivides the fields, running north to south, which would be removed. The Council's Tree Officer has advised that revisions to the proposed development have resolved concerns regarding retained trees, by allowing greater space around them.

**7.124** The Tree Officer has advised that following the receipt of revised plans, there would be no level changes within the Root Protection Area (RPA) of veteran trees at the site. Moreover, the Tree Officer has confirmed that changes to the garden areas for units 44, 45 and 46 (on the western side of the development) would prevent issues of shading to amenity space, and therefore reduce the pressure for the reduction of adjacent trees in the future. As a result, the Tree

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

#### *Conclusion on ecology and trees*

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

#### Highway considerations

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

#### *Highway network capacity*

- 7.127** As outlined within the earlier sections of this report, the applicant has provided a Transport Assessment to support the proposals. This includes details of traffic counts for the nearby Sandown Road/ Hillway Road/ Steyne Road as well as predicted traffic numbers associated with the proposed development, based on the nationally recognised TRICs database. The Assessment has predicted the impact that the development (including the approved nine dwellings) would have upon the highway network. The proposals would result in 56 dwellings (noting that one dwelling has been removed from the proposal as originally submitted) and the Transport Assessment predicts that the development, once fully operational, would generate up to 29 two-way trips during the morning peak hour, and 33 two-way trips during the evening peak hour (when residents are driving to and from work for example).
- 7.128** Based on these predictions, the Transport Assessment concludes that both the site access junctions and the mini-roundabout would operate well within capacity during peak weekday periods, reasoning that no junction improvements would be required at either the approved access with Steyne Road or the existing mini-roundabout. The Island Roads Highway Engineer has commented on the proposals on behalf of the Highway Authority and has raised no objection in

respect of the traffic generated by the development, either in terms of the proposed junction onto Hillway Road, the use of the approved junction onto Steyne Road or the capacity of the nearby roundabout. The Engineer has commented that based on 2021 traffic figures, both the Steyne Road junction and roundabout would operate well with design parameters during peak hours, and that they would do so even based on predicted growth for the Island up to the year 2026.

- 7.129** The Highway Engineer has advised that there have been three traffic incidents related to the junction of Steyne Road and Mill Road, to the west of the site. These related to one instance of reckless driving in a vehicle with defective tyres and two instances of cars failing to give way to cyclists. These would be considered to be relatively minor incidents involving driver error, rather than design issues with the highway network and would not weigh against the proposals. Island Roads have passed no comment on this issue. Given the comments provided by Island Roads, it is considered that the proposed development would not compromise the capacity of the highway network.

*Highway safety*

- 7.130** Policy DM2 of the Island Plan requires developments be accessible and safe. The proposed development would be served by a new priority junction formed within the western boundary of the site and opening onto Hillway Road, along with a recently approved junction onto Steyne Road, which would extend into the now proposed development via a 5.5m wide road. In addition, there would be a separate access formed to serve plot 61 from Hillway Road.

- 7.131** The Highway Engineer has advised that because both Hillway Road and Steyne Road are the subject of 30mph speed limits, the accesses should be designed to meet the following criteria:

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

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

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

- 7.132** The Highway Engineer has advised that the proposed means of access to the site from both Hillway Road and Steyne Road would comply with the

requirements for visibility splays, as would the access to serve plot 61 and has raised no objection to the arrangement of these junctions.

*On-site access arrangements/ parking provision*

- 7.133** Regarding the internal access roads, the Highway Engineer has advised that these should be designed to be a 20mph environment, with speed reducing features located at intervals no greater than 80m and junction visibility splays to be designed to a minimum of 25m in either direction. The Engineer has confirmed that the internal layout has been designed to take the requirements of Manual for Streets into account.
- 7.134** The majority of the dwellings would be served by 5.5m highways, that would pass in a north to south arrangement, with minor junctions leading to side roads. The Highway Engineer has commented that the visibility splays for the internal junction of the side road shown to serve plots 29 and 54 would be slightly below required measurements at 19m, but has not objected to this issue, reasoning that traffic flows would be very low. In addition, the Engineer has confirmed the 5.5m width of the roads would allow vehicles to pass one another, and that turning heads provided would allow refuse and fire vehicles to pass parked vehicles. The layout would also allow for all vehicles to manoeuvre within the proposed junctions and turning heads, and so enter and exit the site safely in forward gear. However, The Highway Engineer has advised that details of tactile crossing points would be required, and officers consider that their recommended condition would be reasonable.
- 7.135** The Hillway Road access would lead into a 6m wide access road, which the Island Roads Highway Engineer has advised would be in excess of the 5.5m width recommended by Manual for Streets, potentially resulting in higher vehicle speeds. While not raising an objection to this situation, the Engineer has commented that road width can influence vehicle speeds. Officers consider that this correct width of the road could be agreed via the conditions recommended by the Highway Engineer.
- 7.136** A separate looped access road would serve the plots which would occupy the southern section of the site, plots 62 to 65. This has been designed to have a more informal, rural appearance with the road circling a pond and lacking pavements. The drive to serve plots 63 and 64 would measure 3.2m in width and the Highway Engineer has advised that this would not allow two vehicles to pass. Nonetheless, the drive would be short, and owners of these properties would be able to see one another and use their own parking and turning areas to allow a vehicle to pass.
- 7.137** The Highway Engineer has confirmed that refuse and fire vehicles would be able to manoeuvre around the loop, although has commented that some properties owners would need to wheel rubbish bins to the end of their driveway, but this is not considered to be an unreasonable situation. The Engineer has confirmed that for the remainder of the site, fire vehicles would be able to reach within the required 45m of each dwelling. The plans also show that an improved bus stop would be provided onto Hillway Road, with the shelter to be set back from the highway within an area of open space. The Engineer has raised no objection to this element of the scheme.

**7.138** The plans show that several plots would not benefit from direct access to pavements, either opposite or adjacent to them, and the Highway Engineer has raised this as a concern, commenting that this would mean residents walking within the highway. In particular, the Engineer has referred to advice contained within Manual for Streets, which advises that a lack of pavements can cause problems for disabled people, or those with cognitive difficulties. Although officers acknowledge these comments, the scheme includes areas of 'Homezones', which are shared spaces which encourage pedestrian priority and slower traffic spaces. In this respect, Manual for Streets 2 (para. 2.9.4) advises that 'Some shared space schemes also feature a level surface. In these cases, kerbs are omitted and there is no level difference between pedestrians and vehicular traffic. The aim of reducing the definition of areas for pedestrians and vehicles is to indicate that the street is meant to be shared equally by all users of the highway. Indications of implied priority for motor vehicles is removed, as is a physical and psychological barrier to pedestrians which might discourage their using the full width of the highway. Ideally, people should be able to not only cross the street wherever they want to but occupy the full width of the street too.' Officers consider that by adding pavements within these areas, it would provide a different environment and could in turn increase speeds. However, should Councillors consider these to be a reasonable requirement this issue could be controlled by conditions, to ensure that a suitable pavement or path was provided for each property.

**7.139** The Highway Engineer has advised that the hedgerows shown to the front of properties could hinder visibility from individual dwellings, if allowed to grow in excess of the advised 0.6m height. Therefore, the Engineer has advised that a planning condition is imposed to control the height of boundary treatments, and this is considered to be reasonable. Therefore, taking the above comments into account, the internal highway layout is considered to be acceptable, subject to the issues outlined above being controlled by conditions.

### *Parking*

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

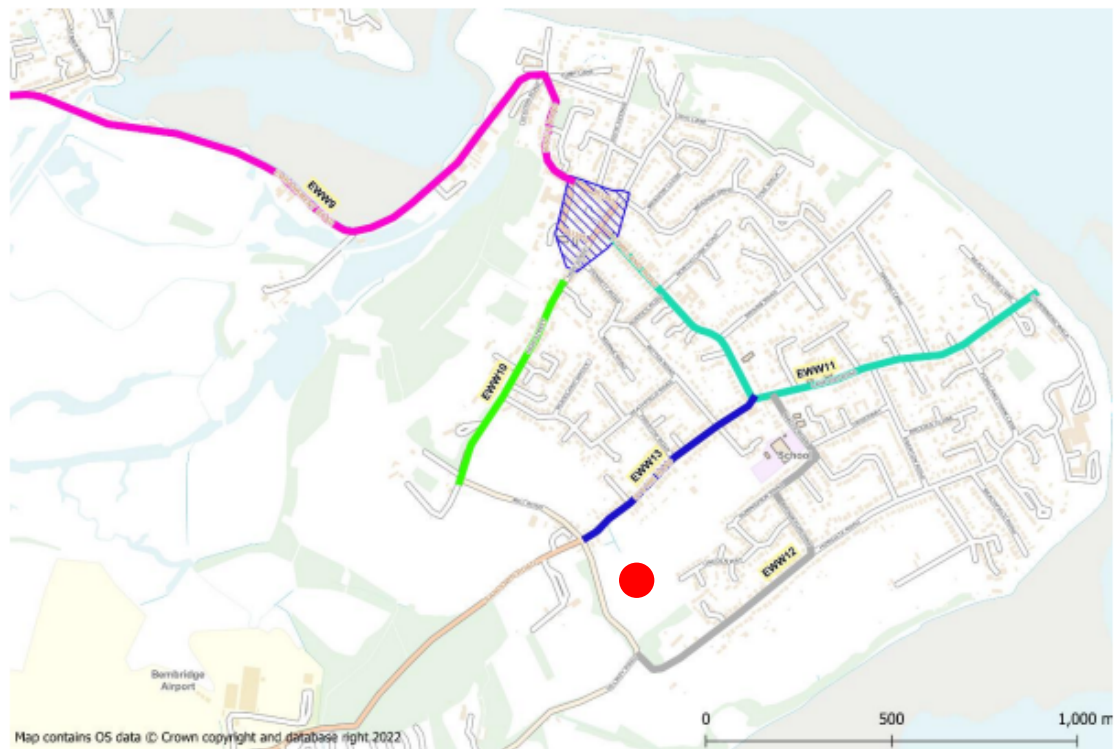
- 1 car space per 1 – 2-bedroom unit
- 2 car spaces per 3 – 4-bedroom unit
- 3 car spaces per 5 bedroom or greater unit
- 1 covered cycle space per unit

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

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

## *Rights of Way*

- 7.142** Policy BNDP.GA.2 of the Neighbourhood Plan states that improvement to the existing network of public rights of way will be supported by the creation of appropriate links. No Rights of Way pass through the site, however, there is a public right of way located south of the junction between Hillway Road and Howgate Road (BB14), which extends south to join the coastal footpath (BB10). The Rights of Way Manager has commented that the proposed development, due to its size, would impact on the rights of network in terms of considerable additional use, and that therefore a planning contribution should be secured to allow improvements to the network in the vicinity of the site, including the coastal path.
- 7.143** The Council has recently adopted a Local Cycling Walking Infrastructure Plan (LCWIP) for Bembridge, Brading and St Helens, which aims to create high quality walking and cycling routes, and improve those that already exist, in order to encourage more people to embrace active travel modes. The LCWIP advises that evidence shows that many people would like to make walking and cycling a more regular part of their lives and the projects outlined within the document stem from extensive public engagement with local communities. The LCWIP for this area, identifies the provision of a range of walking and cycling projects, which are shown below (the site is marked with a red dot):



*Figure 5 - Proposed Walking Network, Bembridge*





Figure 23 - Proposed Cycle Network

**7.144** As can be seen, the LCWIP proposes walking and cycling improvements within the area close to the site, with the walking routes aimed at linking Steyne Road to Howgate Road (shown in blue and grey on the above plan). However, this route would still require pedestrians to walk along a 400m section of Hillway Road, to reach either Steyne Road or Howgate Road. Following negotiations by officers, the applicant has agreed that the route could divert through the development site, relying on the various proposed pedestrian routes. In addition, the applicant has agreed to extend a path to the south of the Hillway Road access, to extend up to the south most point of the site. This would reduce the section of the route within the highway to circa 100m. In addition, the applicant has agreed to provide a planning contribution towards rights of way improvements, which could then either be used to fund further improvements to the LCWIP route, or other rights of way in the area.

*Conclusion on highway considerations*

**7.145** Having regard to the above, it is concluded that, subject to securing the proposed access and highway works by condition, and the recommended conditions are imposed, the proposed development would provide safe and suitable access, would promote sustainable travel options, reduce car reliance, and it would comply with the requirements of the Council's Parking Guidelines. Therefore, the proposed development would not negatively impact on the highway network in accordance with the aims of policies SP7 and DM17 of the Island Plan and the NPPF. In addition, the development would assist in delivering the walking improvements set out within the LCWIP, allowing pedestrians to walk between the coastal footpath to the village, and significantly reducing the distance within the highway. In terms of the overall balance of consideration for this development, highway related matters are considered to be a neutral factor,

neither weighing for or against the proposal. However, the provision of the right of way link and financial contribution towards future right of way improvements are considered to be moderately beneficial benefits that weigh in favour of the scheme.

#### Drainage and flood risk

- 7.146** Planning policy guidance aims to steer development away from areas at the highest risk of flooding. The site is located within flood zone 1 and at the least risk of flooding, and as a result the requirement for a Sequential Test and Exceptions Test as set out within the NPPF are not engaged. The site is therefore, considered to be strategically acceptable in terms of flood risk. However, the site should be designed to prevent it from causing localised flood events.
- 7.147** Objections to the planning application have raised concerns about flood risk issues that affect Bembridge. The Council has recently undertaken a [Flood Investigation](#) in relation to recent flood events within Bembridge (Bembridge Section 19 Flood Investigation, May 2022) and this found that there were flood events reported in Bembridge on eight separate occasions in 2021. Appendix L (Bembridge) of the Isle of Wight Local Flood Risk Management Strategy explains that modelled surface water flood risk tends to follow the highways in Bembridge as there are no formal watercourses of significance, with those most likely to be subject to overland flow including Steyne Road, with surface water flooding generally contained by the highway.
- 7.148** The Section 19 Investigation showed that flooding events took place at the Steyne Road roundabout, where flows converged to cause ponding here (see section 4.2.2 of document) with some ponding further east, within Steyne Road. These events were caused by exceptionally high rainfall events that the Environment Agency has predicted to have an approximate 2 to 5% probability of occurring annually. The Investigation showed that the northern section of the site was water-logged during the 2021 events, with the Investigation concluding that underlying Bembridge Marls would have resulted in the site having a run-off rate of 50%, increased by soil conditions prior to the July rainfall event, meaning that the intense nature of the rainfall was greater than the infiltration capacity of the soils. Thus, the water ponded in the field with some overland flows.
- 7.149** The Investigation advises that there is no single source of flooding, and instead various issues such as gravel run off to combined sewers from unsurfaced roads contribute to flooding. The Flood Investigation proposes potential strategic solutions to flood issues within Bembridge. These include the use of modelling for the drainage system for the whole village, to allow a surface water management plan to be adopted that would seek to address the issues causing flooding, a property flood resilience scheme, upstream flood attenuation and improvements to the management of gullies, ditches and other drainage assets.
- 7.150** While the recommendations within the Section 19 Flood Investigation relate to strategic solutions, it nonetheless advises that development proposals could contribute to the reduction in upstream flows. The Investigation advises that *'Development offers one way of mitigating current surface water flood risk through on-site measures that would otherwise be unlikely to be economically*

*viable on their own or delivered.'*

- 7.151** The applicant has provided a Drainage Strategy, that proposes to direct surface water from the site to the existing drainage network to the north of the site, rather than using natural infiltration. That is because the geology of the area is known to be poorly performing in terms of infiltration, with this situation confirmed by infiltration testing undertaken at the site in 2020.
- 7.152** Surface water from the site currently drains to the public highway drainage system, via two 15mm diameter pipes connect to the highway drainage system, with run off rates of 17.7 l/s (litres per second) per pipe, and so a total run off rate of 35.4 l/s to the system. The drainage strategy proposes to reduce these rates through a range of attenuation measures. Firstly, all drives, parking and home zone areas would be constructed using permeable block paving to attenuate flows, although the available storage that these areas would provide has not be factored into the final calculations within the Drainage Strategy, and so in effect, these areas would add to the storage capacity for the site.
- 7.153** Surface water drainage from the site would be directed to a system of underground storage tanks (AquaCells) which have been designed to have a capacity to cater for a 1 in 100-year storm event, with the standard 40% increase factored in for climate change. These tanks would hold water during a storm event, releasing water once the event had receded. Water from the tanks would be directed to two approved attenuation ponds within the development site to the north, with a hydro-brake included in advance of the ponds, to prevent excessive flows. The ponds would include a permeable liner to allow some infiltration, but these would direct stored water to the highway drainage system, again with a hydro-brake included to restrict flows to 22.3 l/s.
- 7.154** Island Roads have agreed that surface water flows to the highway drainage system can be accepted, subject to the agreed run-off rate of 22.3 l/s, which would not result in an increase in storm water flows to the highway drain. Officers consider that this scheme, would ensure that surface water for the development would be suitably managed but also reduce flows to the highway drain and therefore assist in providing one of the solutions for localised flooding within Steyne Road that is outlined within the Section 19 Flood Investigation.
- 7.155** As outlined within the ecology section of this report, foul water from the development would be directed to the public sewer. Southern Water have confirmed within their comments, that they could provide foul sewage disposal for the development, subject to the necessary formal application process being applied for and have therefore recommended informatives in the event of permission being granted. As a result, on the basis of the Drainage Strategy, officers are satisfied that the development would result in a significant reduction in the greenfield run-off rate and, as a result would not increase the risk of localised flooding and instead, assist in reducing the potential for such events within Steyne Road. The development is considered to comply with the requirements of policy DM14 of the Island Plan with the flood elevation measures provided to be moderately beneficial benefits that weigh in favour of the scheme.

## Other matters

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

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

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

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

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

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

- 7.159** As set out above, the proposed development is not considered to have an unacceptable impact on trees or protected species and would result in socio-economic benefits and as such, officers consider that the proposed development would not compromise the designation, which is focused on allowing sustainable development to take place.

### *Impact on tourism*

- 7.160** Several comments have referred to the impact that the proposed development may have on the Island’s tourism sector. The tourism industry is a significant employer for the Island and contributes substantially to the Island’s economy, with several tourism accommodation sites located to the southwest of Bembridge. However, the proposed development would result in limited impacts

on the surrounding countryside, with impacts concentrated on the highway that passes the site, Hillway Road. However, these impacts would be from a relatively discrete area, with tourists passing first a development site and then housing. Officers consider that neither would be out of place noting that the site is not visually linked to key tourism destinations. There would not be direct views of the site from other important tourism destinations and therefore it is considered that the development would not compromise the tourism industry for Bembridge or the wider the Island.

### *Strategic Housing Land Availability Assessment (SHLAA)*

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

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

Sites are then assessed in respect to their:

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

However, a site's inclusion within the Assessment does not grant planning permission, indicate that planning permission will be granted and nor does it allocate the site for housing within the Local Plan. The assessment is a technical document forms background information to support the production of the Local Plan and its review.

### *Impact on health care facilities*

**7.162** A number of concerns have been raised by third parties with regards to the ability of the area's social infrastructure (doctors, St. Mary's Hospital etc.) to accommodate the number of units. Prior to the Core Strategy being adopted a number of consultation processes took place with key stakeholders to establish that the recommended number of units required over the plan period could be accommodated. This is still considered to be relevant. Furthermore, not all of the dwellings would accommodate residents who are new to the area or the Island, because some would cater for local people and therefore these individuals would already access these services.

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

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

### *Economic*

**8.2** The NPPF states that the economic objective is to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth. The application is for residential development but would nonetheless result in the creation of a number of jobs both directly through the construction process, but also indirectly through local suppliers. Together with the economic benefits associated with job creation the scheme would also result in benefits through council tax, business rates, the new homes bonus and additional footfall for the various shops and businesses within Bembridge. It is acknowledged that the application would result in the loss of a moderate area of lower quality farmland however, the proposal is considered to result in greater economic benefits to outweigh this loss. Officers consider that the development would provide minor economic benefits that would weigh in favour of the scheme.

### *Social*

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

**8.4** Paragraph 60 of the NPPF states that it is a Government objective to significantly boost the supply of housing. In addition, paragraph 69 of the NPPF reasons that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, because these are often built out relatively

quickly. Bearing this in mind and the contents of the principle section of this report, it is considered that the additional housing combined with other social benefits provided by this development would weigh substantially in favour of this scheme.

### *Environmental*

- 8.5** The NPPF states that the environmental objective is to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.6** The proposed development would not compromise designated sites, and confirmation has been provided that foul waste from the development would be directed to the WWTW in Sandown, with the proposed development resulting in nutrient neutrality. The applicant has also committed to providing financial contributions in line with the Bird Aware Solent Mitigation Strategy, therefore mitigating the recreational effects of the development on protected species of over-wintering wildfowl. The proposed development would deliver Biodiversity Net Gain and would not compromise protected species or habitats on site.
- 8.7** The development would retain protected trees and while a section of hedgerow through the centre of the site would be removed, this would be mitigated by replacement hedgerow planting, which would result in a network of landscaping to provide connectivity.
- 8.8** The proposed development would be visually contained from distant viewpoints and would have a limited visual impact when seen from the adjoining village and nearby properties. However, the development would be readily visible from Hillway Road, from where the development would have a moderately harmful impact on the current rural character of the immediate area. The set back of housing, retention of high amenity trees and the boundary hedgerow would mitigate this impact to an extent, but the level of landscape change would remain noticeable and moderately weight against this development.

### Conclusion

- 8.9** As stated above, in the last seven years 3,977 homes should have been delivered across the Island, but a total of 2,620 have been delivered (an average of 374 per annum). This represents a significant shortfall of housing, which has resulted in the presumption in favour of sustainable development being applied to the Council.  
On a parish level the lack of delivery of market and affordable homes has meant that the need identified in both the parish HNS and the Council's HNA has not been met.
- 8.10** The proposal seeks to provide 56 new homes in Bembridge, and Officers consider that the development would result in minor economic benefits, with moderately adverse environmental impacts that would be outweighed by the significant social benefits brought through the delivery of housing within a sustainable location. As a result, having given due regard and appropriate weight

to all material considerations the application is considered, on balance, to be acceptable, subject to appropriate mitigation, which can be secured by conditions and a Section 106 Agreement. The application is therefore considered on balance to be acceptable and to comply with the policy guidance outlined within this report.

## **9 Statement of Proactive Working**

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

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

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

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

#### **Conditions and reasons**

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

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

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

Site/ block plans

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

012 Rev B  
013 Rev B

017

Floor levels/ cross sections



018 Rev C  
019 Rev B  
020 Rev B  
021 Rev B  
022 Rev B

#### House type plans

101 Rev B  
102 Rev B

104 Rev B

106 Rev B  
107 Rev B  
108 Rev B

112 Rev B  
113 Rev B  
114 Rev B  
115 Rev B  
116 Rev B

118 Rev A  
119 Rev A  
120  
121 Rev A  
122 Rev A

#### Garage type plans

123  
124  
125  
126  
127  
128  
129

#### Levels plans

200 Rev P3  
201 Rev P3  
202 Rev P3  
204 Rev P3  
205 Rev P3

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

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

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

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

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

- 5** No development shall take place until:

a) the applicant or their agent has secured the implementation of an appropriate programme of archaeological works in accordance with a Written Scheme of Investigation which has been agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details, or

b) The Local Planning Authority has agreed that no further archaeological mitigation is required, based on the Written Scheme of Investigation.

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

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

Isle of Wight County Archaeology and Historic Environment Service  
Westridge Centre

Brading Road  
Ryde  
Isle of Wight  
PO33 1QS

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

- 7** No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in respect of;
- Steps to prevent material being deposited on the highway as a result of any operations on the site in connection with the approved development. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development. Any deposit of material from the site on the highway shall be removed as soon as practicable by the site operator
  - Areas on site for the parking, loading, unloading, circulation and turning off all construction vehicles to include for operative vehicles within the confines of the site throughout the build process
  - Measures to prevent impacts on nearby properties, including hours of working, storage areas for plant and machinery and parking and access arrangements for construction vehicles
  - Measures to control the emission of dust, noise and dirt resulting from the site preparation, groundwork and construction phases of the development
  - The agreed facilities/ operational measures shall be installed prior to the commencement of development and shall be retained in accordance with the approved details during the construction phase of the development

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

- 8** No development shall take place until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall set out measures to protect wildlife during both construction and operational phases of the development, based on the principles of the submitted ecological information. The EMP shall include the following additional information:
- The methods of construction and works for clearing vegetation on a precautionary basis (by hand or using light machinery to be agreed as part of this condition) to prevent harm to protected species
  - Measures to prevent open trenches from infilling with water, to prevent trapping of wildlife
  - Details of working methods to prevent harm to wildlife and habitats at the site
  - Details of the location and number of bird and bat boxes to be installed at

the site

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

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

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

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

Reason: To ensure that the site is suitably drained, to prevent issues of local flooding and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy. This is pre-commencement condition, given the early stage at which drainage infrastructure would be installed.

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

Reason: To ensure that the site is suitably drained, to prevent harmful impacts on Solent International Sites as a result of nitrogen enrichment and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy and the advice contained within the Council's Position Statement: Nitrates.

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

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

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

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

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

- 13** Development shall not begin until details of the design, surfacing and construction of any new roads, footways and accesses, together with details of the means of disposal of surface water drainage there from, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and be retained thereafter.

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

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

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

- 15** No dwelling hereby permitted shall be occupied until car parking spaces have been provided for each dwelling as detailed on the approved plans. The spaces

shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

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

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

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

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

- 18** The development hereby approved shall be carried out in strict accordance with the details contained within the Arboricultural Method Statement ref MJC-19-0104-Ph2-03 submitted as part of the planning application, throughout the course of the construction process.

Reason: To prevent damage to trees during construction and to ensure that the high amenity trees to be retained are adequately protected from damage to health and stability throughout the construction period, in the interests of the amenity of the area and in compliance with policies DM2 (Design Quality for New

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

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

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

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

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

- 21** No development shall take place above foundation level until details of the materials and finishes, including mortar colour, bargeboards, cladding (including colour of cladding) and rainwater goods to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

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

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

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

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

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

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

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

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

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

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

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



## **11 Informatives**

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

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

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