

# Planning Committee Report

Report of	STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE DELIVERY
Date	<b>5 MARCH 2024</b>
Application Reference	<a href="#"><u>22/00989/FUL</u></a>
Application type	Full
Application Description	Redevelopment of site to provide 70 residential dwellings including 27 affordable units to include associated roads, landscaping (Revised plans relating to the layout of housing, design of housing, and location of balancing pond) (updated supporting information) (readvertised application)
Site address	Land adjacent Warlands Lane, off Burt Close, Shalfleet
Parish	Shalfleet
Ward Councillor	Cllr Peter Spink
Applicant	The Warlands Partnership Limited
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 rural location of the site, and landscape impact of the development.
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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, SPA mitigation, nitrates credits and a contribution towards rights of way provision within the locality.
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## **Main considerations**

- Principle of the development
- Housing delivery and need
- Loss of agricultural land
- Impact upon the character of the surrounding area
- Impact on heritage assets
- Impact on neighbouring properties
- 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 matters including:

- Construction Environment Management Plan
- External materials to be used
- Landscaping and the provision of a buffer to Ancient Woodland

and a Section 106 Agreement covering the following heads of terms:

- Provision of 35% affordable housing
- Management and maintenance of open spaces, communal landscaping and ecological corridors
- Habitat mitigation contribution

- Nitrates credits
- Rights of way contribution

## **2 Location and Site Characteristics**

- 2.1** The application site is located immediately to the west of Shalfleet on the southern side of the Newport to Yarmouth highway, approximately 470m from the centre of the village. The site forms a 4.05 hectare section of an agricultural field that is currently used to produce arable crops. The north and eastern boundaries of the field are enclosed by well-established hedges while the remainder of the boundaries are aligned by woodland. The field is an irregular 'L' shape, slopes gradually to the west and is accessed via a field gate within Warlands Lane. A public footpath runs alongside the eastern boundary of the field.
- 2.2** The north-eastern section of the site has been developed to provide 24 houses, approved in 2014, known as Burt Close. Burt Close comprises a mix of two and single storey dwellings, arranged around a large area of open space.
- 2.3** The landscape surrounding the application site is predominantly rural in character. To the north and west of the site are areas of farmland that are characterised by medium sized fields enclosed by low hedgerows. The farmland to the north of the Newport to Yarmouth highway is within the National Landscape (formerly the AONB) and fields tend to slope gradually down to the Newtown River and are enclosed by wider wooded hedgerows. This area is seen in the backdrop of the coastal woodland that extends between Newtown and Yarmouth. To the south of the site is a large copse known as Pondclose Copse. This screens the farmland beyond although there are glimpses of the distant downs to the south above the canopy of the copse.
- 2.4** Immediately to the east of the application site is a 1980's era residential estate that comprises a variety of two-storey detached and semi-detached houses, short terraces and bungalows. The estate is laid out in a relatively dense manner although there is a large area of open space within the centre. The estate is accessed via Warlands Lane, which comprises a mix of post war bungalows and houses.
- 2.5** Shalfleet is an attractive rural village, and it adjoins the eastern side of the application site. The centre of the village is historic and located within a dip that forms the narrow valley either side of the River Caul Bourne. The houses and buildings are generally small scale, historic and back onto areas of farmland or neighbouring gardens. The centre of the village is dominated by the parish church of St Michael the Archangel, a substantial Norman building with a fortified tower. The village hall and former vicarage are located to the north of the Churchyard. Opposite and to the north of the Church is the New Inn public house, a historic building that fronts onto Mill Lane.
- 2.6** The closest houses to the application site are located immediately to the northern and eastern boundaries and within the Fleet Way and Burt Close estates. The rear gardens of these properties face onto the field and are enclosed by a mixture of hedges and fencing.

### **3 Details of Application**

- 3.1** Full planning permission is sought for the construction of 70 houses, along with means of access and landscaping. The plans show that the development would be located south of a recently constructed housing estate, Burts Close. An access road would be extended from that development, leading due south and forming a 'J' shaped spine road with small cul-de-sacs leading from it.
- 3.2** The proposed units would front onto the spine road and cul-de-sacs, with a range of semi-detached and detached houses. The dwellings would each comprise a garden area to the front and rear, with parking provided either to the side or front of properties. Officers have undertaken negotiations for the design of the housing, which are now shown to be of a traditional design, with gabled roofs finished with red plain tiles, stone elevations and casement windows. The applicant has provided seven variations to the design of dwellings (A to G), with types A to F being two storey semi-detached or detached houses, but type G being a smaller one and a half storey house, with off-set gables.
- 3.3** The site plans show that the development would comprise a village green on the eastern side of the development, with housing overlooking this open space, to provide natural surveillance. A woodland buffer would edge the south and western boundaries of the site, to provide space between the proposed housing garden and the woodland that wraps around the site (Atkies Copse and Pondclose Copse). The plans show that significant tree planting would be undertaken throughout the site, with lines to trees to be planted along the external boundaries of the site, but also between the proposed housing and along the proposed access roads. A balancing pond would be provided within the western section of the woodland buffer.
- 3.4** The proposed development would also formalise an existing right of way that runs along the eastern boundary of the site, connecting Warlands Lane and Main Road, Shalfleet. This would be hard surfaced but also be extended further south to adjoin paths that run through the woodland on the western side of Warlands Lane. In addition, the applicant has agreed to extend the recently constructed right of way that aligns the southern side of Main Road, further west and to provide a financial contribution towards sustainable transport links in the area.
- 3.5** The site would provide a total of 70 houses, with a policy compliant 35% provision of affordable housing (27 units). The affordable housing would be provided within the northern section of the site.

### **4 Relevant History**

- 4.1** P/01431/17 - Approval of reserved matters on P/00761/16 for access, appearance, layout and scale – Granted planning permission 15<sup>th</sup> March 2018.
- 4.2** P/00761/16 - Outline for residential development of 24 dwellings - Granted planning permission 24<sup>th</sup> November 2016 subject to a legal agreement.
- 4.3** P/00507/14 - Outline for 24 dwellings (comprising of 10 bungalows, 12 houses and 2 flats) - Granted planning permission 6<sup>th</sup> January 2016 subject to a legal agreement.

## **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:

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 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 identifies the application site as being located within the Wider Rural Area. The following policies are considered to be relevant to this application:

- SP1 Spatial Strategy
- 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 Planning Policy

- 5.4** None relevant to this area.

Relevant Supplementary Planning Documents (SPDs) and other planning 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 Development 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 Shalfleet Parish Council published a Sustainable Housing Survey in May 2013, but this expired in 2018.

**6. Consultee and Third Party Comments**

Internal Consultees

- 6.1 The Council's Archaeological Officer has advised that the site may have potential for archaeological remains and has therefore recommended conditions to secure investigations, should permission be granted.
- 6.2 The Council's Planning Tree Officer has advised that details of the excavations for the balancing proposed pond should be secured along with protection measures for Ancient Woodland.
- 6.3 The Council's Planning Ecology Officer has raised no objection to the proposals, following the submission of further information. The officer has recommended conditions related to landscaping, mitigation and enhancement measures and details of the proposed balancing pond.

External Consultees

- 6.4 Natural England has advised that the Planning Authority would need to undertake a Habitats Regulations Assessment to determine whether the proposal would be likely to have a significant effect on designated sites, taking into account nutrients impacts and any other significant effects that could arise from the development. Natural England have also referred to potential impacts to the Ancient Woodland and SINC at Pondclose Copse and have noted the proximity of the National Landscape (AONB).
- 6.5 Southern Water have commented that they could facilitate foul sewerage disposal for the development. Southern Water have referred to standard advice relating to sustainable urban drainage schemes, possible sewers crossing the site and advised that a condition should secure foul and surface water drainage for the development.

**6.6** The National Trust raised concerns about recreational disturbance to the designated sites within Newtown Harbour, along with increased surface water run-off and sewerage overflows.

Parish/Town Council Comments

**6.7** Shalfleet Parish Council objected to the development for the following reasons:

- Sewers do not work well and the development would exacerbate this
- There is a need for a surface water drainage system
- The approach needs to be more rural
- The layout and density is urban and too dense for a village
- There should be more affordable units
- Island Road's comments need to be taken into account
- Concern over open plan and road safety and children going over people's gardens
- The approach road is not good
- More vehicles will use the access onto the A3054
- Adequate parking needs to be in place to prevent vehicles clogging up the highway
- Consideration needs to be taken into account for birds, bats etc
- Crime and Disorder - concern this will increase with the increase in people
- Need for cycle storage, battery storage
- More landscaping is required
- There is serious worry that the properties will not go to Shalfleet people
- A Management Trust needs to be put in place to give protection for local people and for them to continue to go to those with local connections
- The PC had asked for Burt Close to be built of red brick and got buff
- A dwelling in Fleet Way should be purchased to provide a link to the close
- Query as to what the community gets from this development
- Three and half thousand people on the IW housing waiting list - so there is a need for houses
- Query as to how a community can be created with the Fleetway and St Michaels Close developments

**6.8** Calbourne Parish Council has neither objected or supported the proposals, and made the following comments:

- Concerns were raised about infrastructure for this project
- Concerned about problems with sewage and drainage in this area
- It continues to appear that estimate on this type of project are not accurate and funding allocated for works to be carried out is adequately funded and have to be delayed
- Concerns regarding the number of rental houses in this second phase development as Islanders who need homes cannot afford to buy and there is a lack of rented homes on the Island and Islanders need affordable rented housing

## Third Party Representations

**6.9** A total of 93 representations objecting to the proposal have been received, and raised the following summarised comments/concerns:

- Government housing targets for the Island are ridiculous
- Does not comply with the Island Plan, which does not proposed any housing in Shalfleet
- The houses are not needed/ no demand for houses
- The Shalfleet Housing Needs Survey is out of date and so there is no evidence of local need
- There is no mention made of how the proposals accord with the Island Plan
- There are not enough people with a local connect to justify the number of houses
- Far too many houses
- Need a mix of rental and sale properties
- The information does not state whether the affordable housing will be for sale or rental
- The houses will be bought by people who don't live on the Island, are retired or will be second homes
- Only the minimum number of affordable houses
- Shalfleet already includes affordable housing
- The houses wont be affordable/ high cost of rental properties/ impact of air b 'n b
- Lack of amenities in Shalfleet/ no facilities in Shalfleet
- Impact on doctors, dentists and schools
- Local school is already over-subscribed
- Shalfleet is not large enough to cope with the development
- Houses would be isolated
- Not a sustainable site
- This is a greenfield site/ part of the site has already been built on
- Should be built on brownfield land
- Loss of farmland/ should be left to grow crops
- No jobs locally
- The primary school is a long way from the site/ lack of safe walking route to the school/ there is a need for a pedestrian link to Shalfleet Primary School
- Nearest doctors' surgeries are in Newport and they have no capacity
- Before considering any new houses the developers must deal with the lack of water on the IW, shortage of electricity, inadequacy of drainage systems and NHS provision
- Buses are only once an hour
- Residents will end up driving
- Harm to the character of Shalfleet
- Poor standard of design/ inappropriate for the area
- The layout would inhibit a sense of community
- Unattractive houses on green fields
- The layout is suburban and high density in a rural setting
- Out of scale with the village
- The revised design would be banal



- The variety of house types, roof types and materials have been removed
- Fake stone has no place in Island villages
- The landscaping for this site must be better than the previous housing scheme
- The landscaping required for Burt Close has not been carried out
- Development is too large/ overdevelopment
- Why is there not a full landscaping scheme?
- Why is there no min-meadow or mini-woodland to finish the public communal areas
- There should be a management scheme for all landscaping in the public areas
- We are in a climate emergency
- The revised scheme omits the previously proposed solar panels
- There should be a financial contribution towards local tree schemes
- No references to renewable energy sources
- The recently built houses are an eyesore
- Impact on privacy due to increased use of the footpath
- Loss of light, outlook
- Impact of external lighting on bedrooms
- Light pollution
- Impact on right to light – Officer comment – this is not a planning consideration
- Impact on property prices – Officer comment – this is not a planning consideration
- Impact on nearby protected copse
- Loss of tranquillity
- Impact on wildlife/ protected species
- Have the environmental surveys been properly and thoroughly conducted
- Impact on trees and hedges
- Impact of light pollution on wildlife
- There is no Environmental Impact Assessment
- There is surface water within the corner of the field during heavy rain
- Impact of sewage on protected sites
- No sewer capacity/ sewers overflow in the village
- The site is underlain by clay and so water runoff will be an issue
- The roads are busy/ cannot cope with more traffic
- Pollution caused by traffic
- Too close to the main road
- Should be common surfaces throughout the development to encourage car as a guest ethos
- There should be an external socket at each property to allow EV cars to charge
- We would ask for the above conditions to be in place from then beginning of the work on the development to encourage people to use Active Travel methods
- Any path linking to the Rights of Way Network should be 3 meters wide so as to be able to allow people who wish to use their bikes to access the RoW
- There should be a reminder for drivers of pedestrians and cyclists

- There should be TROs to ensure that the roads are free of parked cars to allow people ease of movement around the area
- Warlands Lane/ roads in Shalfleet are busy and not safe for cyclists
- The design should ensure that when any path crosses a side turning or drive that the level of the path does not change or deviate to give priority to cars
- Lack of parking at the village shop, leading to congestion
- Potential for accidents
- Impact on the right of way network
- There is no revised transport plan
- Motorists ignore the 30mph speed limit making the Burt Close junction an accident waiting to happen
- Lack of parking
- Littering on public footpaths
- Impact of dogs on the health of cattle
- Noise and pollution
- Impact on tourism

**6.10** The Woodland Trust has objected to the development, raising concerns that it would impact on the nearby Ancient Woodland and SINC, and suggesting that a 30m buffer should be provided. The Trust has raised the following specific concerns:

- Intensification of the recreational activity of humans and their pets can result in disturbance to breeding birds, vegetation damage, trampling, litter, and fire damage
- Fragmentation as a result of the separation of adjacent semi-natural habitats, such as small wooded areas, hedgerows, individual trees and wetland habitats
- Noise, light and dust pollution occurring from adjacent development, during both construction and operational phases
- Adverse hydrological impacts can occur where the introduction of hard-standing areas and water run-offs affect the quality and quantity of surface and ground water. This can result in the introduction of harmful pollutants/contaminants into the woodland
- Development can provide a source of non-native and/or invasive plant species and aids their colonisation of the woodland

**6.11** Bob Seely MP has objected to the proposed development, raising the following summarised concerns:

- Impact on natural worth of the Island due to impacts on the AONB landscape
- There is an abundance of brownfield land available and projects like this development would be better in pre-developed urban areas
- The development would endanger the Island's natural beauty
- Loss of habitat and impact on wildlife
- Impact on wildlife (namely fish and marine-life) as a result of nitrates
- The development is unsuitably large and would overload Shalfleet's facilities
- The amount of affordable housing should be increased

- The site would be inaccessible and inappropriate for the level of footfall and vehicle use
- Lack of a pedestrian link to the Primary School
- Local residents do not support the scheme

## **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 70 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 82 and 83 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 within the Wider Rural Area, and it should be noted that while Shalfleet is a village, it is not defined as a Rural Service Centre. For new housing development within the Wider Rural Area, policy SP1 confirms that a local need for the housing should be demonstrated. Policy SP2 of the Island Plan sets out the distribution of housing across the Island, advising that 980 dwellings would be required through smaller-scale development at the Rural Service Centres and Wider Rural Area.
- 7.3** There is no parish level planning policy guidance relating to Shalfleet. As stated within the Development Plan Policy section of this report, Shalfleet Parish Council undertook a Sustainable Housing Survey that was published in May 2013. The survey had a period of 5 years and therefore, it no longer relevant to the determination of planning applications. However, it should be noted that the housing mix for the completed Burt Close development north of the application site, was devised to directly reflect the findings of the Housing Survey.

#### *Locational requirements*

- 7.4** Shalfleet is a rural village and therefore its services and facilities are relatively limited. Nonetheless, the village does comprise a public house, a village shop which sells convenience goods, a Church and a Church Hall which can be hired for occasions. In addition, to the west is Shalfleet Primary School, a timber merchants and the Horse and Groom public house which can be reached via the regular hourly bus service that passes the northern section of the application site. Members will note that the Burt Close development secured a pavement to reach

the bus stops that are located east of the site entrance.

- 7.5** While policy SP1 is a strategic policy in terms of housing, it does give important locational guidance in terms of focusing housing in the most sustainable areas and settlements, the use of brownfield land and economic led regeneration. The overall approach advocated within the policy in terms of focusing 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.
- 7.6** Residents would need to travel further afield to access services such as pharmacies, doctors and dentists, supermarkets, secondary schools and other services and facilities. However, these and the nearby primary school could be accessed via the bus service for those who do not have access to a vehicle.
- 7.7** Taking this into account, the sustainability guidance contained within the NPPF and particularly paragraph 109 should be noted, which states that 'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.' While the development at Shalfleet would not include all transport modes, it would allow pedestrian access to the local shop, via the proposed footpath link to be provided on the eastern side of the site, which would link to Warlands Lane. This would allow convenient access to the shop and provide for daily needs. Access to more substantive services and facilities would rely on vehicular travel, but residents would have easy access to the regular bus service that passes the site on Main Road.
- 7.8** Officers consider that the proposed housing would benefit Shalfleet insofar as aiding the retention of rural services and facilities, through additional footfall to the local shop, public houses and community facilities, as well as potentially providing additional pupils for Shalfleet Primary School, as the northern part of the site has done. This would accord with the guidance contained within paragraph 83 of the NPPF which 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.'

#### *Brownfield land*

- 7.9** The planning system advocates the use of previously developed land for new housing development, where possible. Shalfleet is a rural village with little previously developed land, that is vacant. The Council compiles a yearly register of Brownfield Land, and this shows that there are no registered previously developed sites within Calbourne, Brighstone, Shalfleet, Newtown or Thorley.
- 7.10** There is one previously developed site for Wellow, this being Lee Farm. However, that site has recently secured planning permission for 16 dwellings (21/00684/FUL). In addition, there are two sites listed for Freshwater (one at Norton and another within School Green Road) and these would yield a total of 12 dwellings. A further site, the West Bay Club at Yarmouth has secured planning permission for 22 dwellings (22/00291/FUL). In addition, the former Weston Primary School in Totland is a vacant brownfield site, but does not benefit from planning consent, but could yield circa 5 dwellings.

- 7.11** It is apparent that there are very few previously developed sites within the West Wight, currently available. Based on the planning consents that have been issued and the likely yields for the site that do not benefit from planning permission, there would be a total delivery of 55 dwellings. This would provide marginally more than a single year of the annual requirement for housing for the West Wight sub-market (41 dwellings per year). Some further housing could be delivered via smaller 'windfall sites' but these cannot be predicted to come forward. Therefore, it is considered that to achieve the annual requirement for housing within the West Wight sub-market, that development of some non-previously developed sites would be required, such as the application site.

*Conclusion on principle*

- 7.12** The application site is located in the Wider Rural Area, as defined by the Island Plan. Policy SP1 advises that generally, development is not expected to occur in the Wider Rural Area unless a local need can be demonstrated. Nonetheless, it is apparent that there has been a lack of housing delivery over a number of years, with only 66 per cent of planning housing delivered. There is an overriding need for housing across the Island due to this lack of delivery, taking into account the presumption in favour of sustainable development combined with the data contained within the Council's HNA and Housing Register. As noted above, officers consider that this results in a requirement to cast the net further when searching for suitable sites that could deliver the Island's housing needs.
- 7.13** The lack of housing delivering for the Island would not justify housing within all locations across the Wider Rural Area. Much of this area is within the National Landscape, where larger scale housing development would be likely to cause harm to its special landscape value. Moreover, some of the rural areas outside of the National Landscape would be unsuitable for larger scale housing development due to their own scenic qualities (even if not designated for them) or lack of access to services and facilities.
- 7.14** The application site is currently undeveloped farmland however, it is not within the National Landscape and is bounded on two sides by existing housing development, forming part of Shalfleet, a rural village with some local services and facilities that could meet a moderate proportion of resident's needs. As noted above, the NPPF advises that in some circumstances rural housing development can enhance or maintain the vitality of rural communities.

Housing delivery and need

- 7.15** Regarding proposed housing, the policy position set out within policies SP1 and SP2 of the Island 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. Paragraph 226 of the NPPF sets out that LPA's whose emerging local plan includes proposed housing allocations and has been, as a minimum, published for public consultation in accordance with regulation 18 (of The Town and Country Planning (Local Plan) (England) Regulations (as amended) need only demonstrate a 4-year housing land supply.

**7.16** The draft Island Planning Strategy meets this threshold and therefore the Council's requirement is now to demonstrate a 4-year housing land supply (plus a buffer of 20% due to our under-delivery against the government's housing delivery test). Based on the Council's 2021 Housing Supply Update, the Council can demonstrate a 4-year housing supply. The latest Housing Delivery Test (published December 2023) shows that 66% of the housing need (when using the Government's Standard Method calculation) has been delivered on the Isle of Wight over a three-year period.

**7.17** 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 confirms that policies are out of date for applications involving the provision of housing where “(a) the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.

**7.18** 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 66% and therefore, whilst the Council can demonstrate the required land supply position the presumption in favour of sustainable development remains applicable.

**7.19** It is open to each decision maker to make their own assessment of the weight to be attached to these considerations. 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.

**7.20** Because of the nature of the issue, it will be difficult to have a single approach to applying this consideration, as clearly every application is unique and as such it

may need to be considered on a case-by-case basis, depending on the material considerations for the particular site and proposal. In addition, the requirements of policy SP2 in terms of the number of houses to be delivered in specific areas of the Island is considered to be out of date, due to the advice contained within the NPPF regarding housing delivery. Officers therefore consider that housing needs should be considered as Island wide.

- 7.21** 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% or above of any new yearly target within that adopted plan. While the Council is currently progressing the Island Planning Strategy (IPS), this is not yet at a stage at which material weight can be applied to it.
- 7.22** 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.
- 7.23** 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. Moreover, considering point 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, as outlined above, the IPS is not yet at a stage at which material weight can be applied to it.
- 7.24** In the last seven years the Island's housing requirement was 3,977 homes (using Housing Delivery Test statistics) and a total of 2,620 have been delivered (an average of 374 per annum). It is therefore readily apparent that the lack of housing delivery across the Island against the Government's housing requirement, must result in a need to cast the net further for suitable and available sites to deliver the housing that is required.
- 7.25** 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.'

- 7.26** The lack of housing delivery can, to an extent, be evidenced by the Council's Housing Register. The Register, as of January 2024, included 2568 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 6 households falling into band 1, 295 within band 2, 1373 falling within band 3, 689 within band 4 and 205 within band 5.
- 7.27** Officers are aware that when the affordable units within Burt Close were advertised on Island Homefinder, 100 – 150 applications were received for each of the thirteen houses. While this may have been the same applicants for each property, it is still considered to be a strong indicator of the need for this type of housing in this area.
- 7.28** Nonetheless, as outlined above 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. Taking into account the presumption in favour of sustainable development, officers consider that the key issue for this site, is whether it can be considered to be a sustainable location for the additional housing that is proposed, and whether the appropriate mix of housing would be delivered. It should be noted that the applicants have agreed to provide a three-month marketing period for all housing, that would limit sales to local people. During the first month, houses would be marketed to people living within the Parish of Shalfleet, in the second month remaining housing would be marketed to people from within Shalfleet and adjoining parishes, and in the third month housing would be marketed to Island residents. After this, remaining housing would be marketed on the open market.

#### *Mix of housing*

- 7.29** As noted above, there is not an up to date or recent housing needs survey for Shalfleet. Therefore, the mix of housing for the parish would be directed by the Council's HNA. This evidences that for the West Wight housing sub-market area (within which the site is located) there is an annual requirement of 41 new homes. The HNA identifies the following housing mix for this sub-market area:

#### Open market housing

- 1-bed (7%)
- 2-bed (33%)
- 3-bed (44%)
- 4+-bed (16%)

#### Affordable housing (rental)

- 1-bed (23%)
- 2-bed (40%)
- 3-bed (33%)



- 4+-bed (4%)

#### Affordable housing (home ownership)

- 1-bed (20%)
- 2-bed (40%)
- 3-bed (30%)
- 4+-bed (9%)

**7.30** The applicant has set out their views on these matters, within their Planning Statement, which refers to the lack of housing delivery on the Island, the lack of a 5-year land supply and the application of the presumption in favour of sustainable development. The applicant concludes that there remains an identified need to rural housing within the West Wight, and that the Council is aware of the demand for the housing for the northern section of the site.

**7.31** The information confirms that the scheme would comprise the following mix of housing sizes:

	Affordable	%	Open market	%	Total housing	% overall
2-bedroom	17	63	8	19	25	36
3-bedroom	10	37	31	72	44	63
4+-bedroom	0	0	4	9	4	6
Totals	27	100	43	100	70	100

**7.32** Officers note that the development would provide a higher percentage of two and three-bedroom houses, for open market and affordable housing than set out within the Council's HNA. However, this is due to the absence of one-bedroom properties, which are often more appropriate within urban areas. Moreover, the site would provide no four+ bedroom affordable homes. However, officers are aware that there is a significant need for two and three-bedroom houses, particularly within the rural parishes of the West Wight, as set out above. As a result, the mix of housing for this site is considered to be acceptable.

#### *Conclusion on housing delivery and need*

**7.33** The application is proposing 70 dwellings with a policy compliant level of affordable housing, and it is considered that this number of houses would make a meaningful contribution towards housing within the West Wight, which would weigh substantially in favour of the application. Taking into account the issues set out above, the proposal is therefore on balance, considered to comply with the advice contained within policy SP1 of the Island Plan when noting the advice contained within the NPPF with regards to housing delivery. 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. Officers place significant weight on the need for housing.

#### Loss of agricultural land

**7.34** 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.

- 7.35** Paragraph 180 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, or grade 3b, that is of lesser quality.
- 7.36** However, to provide further clarification on whether land is within Grade 3a or 3b, an understanding of the geology of the area is required. Officer site visits have shown that the field includes heavy soils, that are water-logged in periods of rainfall. This would reflect the DEFRA soil classification for the site, which shows that the site is within national soil-scape type 18, which are classified as slowly permeable, seasonally wet, slightly acid but base-rich loamy and clayey soils. While the site and its surroundings could be used for growing arable crops, it is likely to be subject to lower yields. This is because clay and soils with very poor infiltration characteristics.
- 7.37** The Land Information System (LandIS) advises that soil type 18 is 'Mostly suited to grass production for dairying or beef; some cereal production often for feed. Timeliness of stocking and fieldwork is important, and wet ground conditions should be avoided at the beginning and end of the growing season to avoid damage to soil structure.' This is evidenced on the ground, with farmland in the area used for a mix of pasture and arable crops. 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. Officers therefore attribute neutral weight to the loss of this grade of agricultural land.

## Impact upon the character of the surrounding area

- 7.38** 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.

### *Landscape and visual impacts*

- 7.39** The application site is located within an area defined by the West Wight Landscape Character Assessment as 'Calbourne Rolling Farmland. The Character Assessment advises that the key characteristics of the character area are:
- Gently rolling peaceful landscape underlain by the Hamstead Beds Formation clay, silt and sand
  - Undulating topography gives variety of views within the area and to the sea
  - A rural, pastoral landscape of irregular medium scale fields bounded by thick hedges with many mature hedgerow trees
  - Frequent copses and woodland belts including ancient woodland, which along with the strong hedgerow network give a semi-enclosed feel to the landscape
  - Areas of high biodiversity interest include woodland, wood pasture, unimproved grassland and scrub
  - Presence of variety of water bodies including rivers, streams, ponds, and drainage ditches
  - Settlements vary with scattered farmsteads, nucleated villages and linear suburban settlements with varied building styles
  - Many historic landscape features survive intact including estate boundaries, medieval woodlands and later parklands
- 7.40** The application site is an agricultural field, located to the south of Main Road (A3054) and that is adjacent to the western edge of Shalfleet. Reflecting the characteristics outlined above, the area is rural, with the landscape to the north, south and west being formed by moderately sized agricultural fields enclosed by historic hedgerows and areas of woodland. The landscape to the north of the site is within the National Landscape (until recently the AONB) and the fields here fall gradually and consistently to the north, allowing open views of the Newtown Estuary, the woodland west of it and the Solent beyond. The area to the east of the site is developed, with the 1980s era Fleet Way development immediately visible. Further west but not readily visible from the site due to intervening development is the attractive and historic heart of the village, which is dominated by the Norman Church with its large castellated tower and churchyard surrounding it. Beyond the Church, are historic cottages that align the A3054, on sloping land surrounding the River Caul Bourne, including the New Inn public house.
- 7.41** The applicant has provided a Landscape and Visual Assessment (LVA) to assess the impact of the development on the character of the area. This has been undertaken using assessments of existing information, such as the West Wight

Character Assessment and planning policy guidance. Using maps of the area and based on site surveys, a study area of 2km from the site, known as the Zone of Theoretical Visibility (ZTV), has been developed. Officers agree with the extent of the ZTV, as from greater distance the site would be seen as a smaller element of extensive panoramic views, or not be visible at all.

- 7.42** The assessment and conclusions within the LVA are based on viewpoints taken from 22 locations, with the majority taken from within the 2km ZTV. Four of the viewpoints are from greater distance but are considered to be relevant to the assessment of the proposals, given potential views of the site from higher ground. Photographs have been taken from these locations, to support the assessment that has been made. Officers agree with the location of the viewpoints, which have been taken from close, medium and long distance from a range of landscape areas, rights of way and highways.
- 7.43** The LVA assesses the landscape and visual impacts of the development by considering the value of the landscape or visual receptor and then comparing that to their susceptibility to change. These are then considered alongside the magnitude of landscape and visual effects (based on the size, scale, the geographical context of the area, the duration of the effect/ permanence and reversibility of the project). The magnitude of effect is then combined with the sensitivity of the receptor, to form a conclusion on the significance of landscape and visual effects, which for the purposes of the applicant's LVA are considered to be neutral or no change, negligible, minor, moderate or major and can be positive or negative. This is an exercise in judgement and professional opinion. The methodology explained above is set out within Appendix 1 of the LVA. Officers consider that the methodology and structure of the LVA is in accordance with the best practice advice contained within the Guidelines for Landscape and Impact Assessment (GLVIA 3).
- 7.44** The LVA avers that there would be no physical changes to surrounding vegetation or the context of topography or rights of way as a result of the development. The LVA advises that the character of the site would change from arable fields on the edge of the village, to built form but considers that the proposals have been designed to reflect the pattern of development to the north of the site, with built form of domestic scale and site access from the existing development of Burt Close. The LVA reasons that the provision of an area of central green space within the heart of the site, retention of the existing trees along Warlands Lane, significant new planting across the site, native planting along the north-western boundary and provision of a landscape buffer to the Ancient Woodland to the south would contribute to wider networks of green infrastructure and enhance biodiversity within the site.
- 7.45** The LVA concludes that due to the scale of the site and its immediate surroundings, there would be a moderate adverse effect on landscape character during construction due to the change of use from an agricultural field to built form and that whilst a significant change at a site level, in the context of the immediate surroundings, the effects of the overall development would be partially mitigated due to the built form being characteristic of the local area and the role of the open field between the site and the A3054/AONB boundary to the north. The LVA reasons that landscape effects on the site and its immediate surroundings would be Moderate Adverse at construction, reducing to Moderate-

Minor adverse upon maturity of the landscape proposals. The LVA states that visual effects would range from Moderate-Major Adverse during construction with potential for some of these effects to reduce upon maturity of the landscape proposals.

- 7.46** The application site is open to the landscape to the west, although at its western extremity is aligned by woodland. Site visits confirmed that when at moderate distances (between 600 to 800m) to the west of the site, such as within the landscape surrounding Ningwood and the highways and footpaths close to Shalfleet Primary School, the site is screened and not visible. The landscape here is at a slightly lower land level (13m AOD) when compared to the site (23m AOD) but the field east of Station Road, Ningwood includes a slight rise and this combines with the line of trees and woodland that intersect views to screen the site, and Shalfleet. This is true of longer distance viewpoints and landscape further to the west, even though they are at a higher land level, because there are numerous areas of intervening woodland that combine with topography to prevent views of the western edge of Shalfleet. Therefore, the development would result in no change to the landscape at moderate and greater distances to the west of the site, nor be visible from visual receptors.
- 7.47** This level of impact would be similar for the landscape and visual receptors to the south and east of the application site. When south of the site and at moderate distance, (around 170 to 300m to the south) the southern edges of Shalfleet and the application site are well screened by the woodland close to Warlands Lane, and north of Wyndham Cottle Almshouses, along with the dense lines of trees that align either side of the highway. When within the landscape south of Warlands Lane and the footpaths in this area there are multiple lines of trees and hedges that combine with the mildly undulating countryside to screen views of Shalfleet and the application site.
- 7.48** At more significant distances to the south (between 300 to 1000m and more) the site and southern edges of Shalfleet are not noticeable owing to the various copses and lines of trees within foreground views. The landscape begins to climb gradually from Main Road Newbridge, at approximately 1.2km south of the site so that the countryside and rights of way between Broad Lane and Dodpits Lane allow more elevated views towards Shalfleet and the coast to the north. However, it is apparent from these areas that Shalfleet is within a slight depression in the landscape, thus not forming a prominent or eye-catching element within the wider panoramic views that it is seen within from such distances. The woodland to the south of the site and surrounding the landscape around Warlands Lane would prevent views of the proposed housing. Therefore, the development would not result in an impact on the more distance landscape or visual receptors to the south of Shalfleet.
- 7.49** The landscape to the east of the site is more undulating. This is because the land falls gently towards the Caul Bourne river, which meanders through the historic centre of the village, then rising again towards the eastern edge of the village. This area is an attractive, but relatively narrow river valley that beyond the village is rural and aligned by thick tree belts and stands of woodland. This area of landscape, between 50 to 600m from the application site, is at a lower level. Site inspections and the LVA photos show that the site is not visible, again due to the areas of woodland and thick wooded hedgerows within foreground views.

- 7.50** The topography of the landscape further east of the village, towards Elm Lane and beyond is more level and characterised by moderately sized fields, enclosed by a mix of low hedgerows and thick wooded hedges. There are also numerous areas of woodland in intervening views. From this area of landscape and visual receptors, Shalfleet and the application site are at an equal land level and very well screened by the intervening woodland. There are glimpses of the houses that form the eastern edge of the village from a short section of highway at Winchester Corner, which runs parallel to the eastern edge of Shalfleet opposite to the former petrol station. But these are glimpses between field gates and even from these locations, the application site is not visible. Therefore, the proposed development would not impact on landscape or visual receptors at moderate to greater distances from the application site.
- 7.51** The landscape to the north of the site is part of the National Landscape (AONB) and the Hamstead Heritage Coast and therefore, carries the highest level of protection, with the Planning Authority required to give great weight to conserving and enhancing the landscape value of the designated area. The landscape here is attractive, with areas of pasture leading to coastal woodland and the broad estuary that forms the Newtown Creek Nature Reserve. Site visits have shown that from greater distances to the northeast and northwest, the development would not be visually connected to the landscape surrounding Newtown Creek, or the coastal woodland surrounding Newtown or Cranmore/Hamstead. This is due to intervening distance and the screening effects of woodland. The landscape directly to the north is more open and includes a system of moderate fields enclosed by thick hedgerows, some of which are tree lined. Akin to other more distant areas, views of the site would be screened by these tree lined hedgerows and small copses so that the application site and the proposed houses would not be visually apparent from the landscape or visual receptors.
- 7.52** The site would be visible from the closer sections of the National Landscape and Heritage Coast, particularly the fields located between the A3054 and the western finger of Newtown Creek (also known locally as Ningwood Lake). Views of the site would not be possible from the area of this landscape to the north-east and in particular the fields close to Shalfleet Manor and the A3054 east of Burt Close due to existing intervening housing and the well-wooded boundaries that surround Shalfleet House (directly opposite to the entrance of Burt Close). The site would be visible from the fields west of Shalfleet House and from here, the housing would be read as an extension to the Burt Close development, stretching south and west across the second half the field that is part of the application site. The housing would be located between 160m to 260m from the National Landscape (AONB) and Heritage Coast and effect the setting of a small proportion of it.
- 7.53** The effects of the development would be mitigated in a moderate sense by the presence of the existing housing surrounding Shalfleet, which forms an existing element of views to and from the landscape. Moreover, the plans show that tree planting would be undertaken along the western edges of the development, curving round to meet the eastern edge of Pondclose Copse, and this would combine with tree and hedge planting within the interior areas of the site. Initially, the planting would provide only minor mitigation, but once established would provide a canopy that would partially screen the housing. However, it is likely that even when the trees reached maturity, views of the upper elevations of housing,

seen at some density, would be visible. Officers consider that this would result in a low magnitude of effect, and that due to the high sensitivity of the landscape designation, would result in a minor negative significance of effect to the landscape and the visual receptors within it, causing a minor level of harm.

- 7.54** Officers consider that the development would result in greater impacts to the areas of landscape and visual receptors within close proximity to the application site. As set out above, the applicant's LVA draws a similar conclusion. The A3054 is located directly adjacent to Burt Close, with the recently constructed housing appearing an obvious addition to the area. The proposed housing would rely on the access arrangements that serve Burt Close and therefore would not result in any new development immediately adjacent to the highway. Instead, the new housing would be located south of Burt Close, with the main visible elements from the A3054 being the western flank of the housing, and the section that would curve to the west, close to Pondclose Copse. The development would extend the current built form of Shalfleet into an area of rural landscape and appear readily apparent within southerly views for those driving along an approximately 220m section of the A3054, and people walking along the right of way that is adjacent to the highway.
- 7.55** The current views from these locations are of the western edge of the village, with a relatively wide vista of the farmland and woodland west of Burt Close. These views would be significantly altered during the construction phase and more so once the housing and boundary treatments had been completed. Rather than southerly views across to the edges of Pondclose Copse, they would instead include multiple upper sections of two storey houses seen above boundary treatments, resulting in a more urban character. As noted above, the submitted plans show that a thick belt of trees would be planted along the outer edges of the development. This belt of trees, once established, would link to Pondclose Copse, to form a continuous line of woodland, akin to the current backdrop of views, but closer to visual receptors to the north.
- 7.56** It is likely that the planting would take between 10 to 15 years to establish but once in maturity it is considered that the trees would provide meaningful mitigation, that would combine with the tree planting within the internal areas of the site to result in a deep canopy that would combine with existing woodland. Nonetheless, even once established the proposed housing would be noticeable, changing the rural character of the immediate landscape with views of the housing between the canopies. Officers consider that the development would result in a significant change to the views across this area of the landscape causing a medium magnitude of effect, and therefore cause a moderate negative significance of landscape and visual effect for this area of landscape, and the sensitive receptors within it, resulting in harm.
- 7.57** The areas of landscape and visual receptors within close proximity to the south of the site are centred around Warlands Lane, and immediately to the east and west of it. There is also a public right of way (ROW 15) that diagonally crosses the field to the south of the site, opening onto Warlands Lane via the edge of Pondclose Copse. Officer site inspections have shown that from the field to the south of the site, the application site is visible through the woodland. This is because, the section of Pondclose Copse that forms the southern boundary of the site narrows to a double line of mature trees, that during summer screens the site almost

entirely, but during winter months when leaves have dropped, allow views through to the site. From the closer sections of Warlands Lane and the fields adjacent to the southern boundary, there would be views of housing, but these would be partial views and likely to be partially mitigated by the proposed 15m woodland buffer and tree planting to be carried out along the internal southern boundary of the site, but nonetheless, the housing would be visible through canopies and more so during winter months. However, as the public right of way is partially within the copse and very close to the edge of the woodland, those using it would be able to see the housing clearly.

- 7.58** The eastern boundary of the site that abuts Warlands Lane is aligned by a tree lined hedge, that ranges between 2m to 3m in height, with the trees forming a thin canopy. In both summer and winter months, there are views across the site from here, although above eyeline height. There is also a field gate located within the corner of the field that provides access to Warlands Lane, but this is aligned by a thick hedge that screens the field, preventing direct views from this access. The site plans show that housing would be located within relatively close proximity to the eastern boundary and due to the fine nature of the hedge canopy, there would be obvious views of the proposed housing, even when additional tree planting had taken place. There are views of two existing bungalows to the north, when driving towards Shalfleet, but Warlands Lane has a distinctly rural feel, as does the landscape around it.
- 7.59** The landscape here is not designated, but nonetheless it is rural and has a pleasing character, and the existing village is not readily visible so that the experience that pervades is one of a generally undeveloped farmland and woodland, until within the more built-up area of Warlands Lane further east. The area and its visual receptors are of medium sensitivity, and it is considered by officers that particularly when within close proximity to the eastern boundary adjacent to Warlands Lane, the development would result in a noticeable change to the character of the landscape and the perception for people using the public right of way that passes close to the site and the highway. The development would alter an area underpinned by its bucolic character to one that included views of numerous houses, resulting in a mixed urban/ rural character. This would result in a medium magnitude of change and cause a moderate negative significance of landscape and visual effect for this area of landscape, and the sensitive receptors within it, resulting in harm.
- 7.60** The eastern side of the site is aligned by the boundary fences of properties that are within Fleet Way, with those recently completed in Burt Close located to the north. Occupants of the houses here have open views across the southern part of the field, that forms the application site. As noted above, the southern section of the field, and indeed those areas further west have a rural feel, increased by the backdrop of the ancient woodland that is Pondclose Copse. There is also a public right of way that aligns the internal eastern boundary of the site, connecting Warlands Lane and the A3054, within the northern section of the right of way between Burt Close and Fleet Way. There is no screening here, although the existing housing and its boundary fencing is apparent.
- 7.61** From these locations the housing would be readily apparent and would cause a significant change to landscape character and viewpoints, resulting in vistas of farmland with a backdrop of woodland changing to residential development. The



proposed houses, means of access, boundary treatments and the paraphernalia associated with a housing estate would be obvious. The spacious layout of the site, and the network of open spaces and landscaping would also be apparent, and these would allow the scheme to reflect a rural housing development. However, even with these elements, the lines of two storey houses and associated development would harmfully change the character of this part of the landscape, and visual receptors.

- 7.62** Officers consider that the open nature of the field, its obvious rural characteristics and long ranging views from the right of way and windows of existing housing would mean that the susceptibility of the landscape and receptors would be high-medium. While the nearby housing is apparent, so too is the open nature of the landscape and the appreciation of the surrounding woodland. It is noted that the new housing would result in the enclosing of the right of way, blocking current westerly views while combining with existing housing to significantly alter the landscape to the southwest of Shalfleet. In addition, those walking the right of way would approach from the south, where the landscape is distinctly rural, or the north, where there is the National Landscape. The landscape value is medium and therefore it is considered that the magnitude of change would be high-medium and that as a result the overall significance of landscape and visual effect would be moderate major, resulting in a level of material harm.

#### *Design and layout*

- 7.63** 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.
- 7.64** In terms of layout, the plans show that the site would have a generally spacious feel, with small closes leading from a curved spine road. In particular, the southern half of the site would include pairs of semi-detached and detached houses set within generous garden areas edged by significant tree planting. A large public green would be located on the eastern side of the site and alongside this, properties would be set well back from the spine road with wide grass verges and tree/ shrub planting between.
- 7.65** The closes leading from the spine road would adhere to this approach, again with properties set back from access roads, allowing deep front gardens and areas of meaningful planting. These components would allow the site to have a spacious and attractive feel, with vistas of properties behind wide lawns and verges, trees and natural vegetation, that would combine with the backdrop of existing woodland and wooded hedgerows.
- 7.66** The northern section of the site would be laid out in a denser pattern, reflecting the existing pattern of development to the east, within Fleet Way. This area of the site would have a more rigid layout and there would be two relatively large courtyards, to allow access to properties. Without mitigation, these areas would appear urban in character in a manner that would not reflect the rural nature of the area. However, the use of wide grass verges, street level planting and garden areas would soften the appearance of this section of the site, and on a smaller

scale, reflect the more spacious character of the southern half of the site. This would therefore strike a balance between the efficient use of the site for housing and the desirability of maintaining the prevailing pattern of development.

- 7.67** The design approach for the proposed housing has been revised following concerns from officers about the standard of design of earlier proposals. The revised plans show that the housing would have a simple and traditional appearance, to reflect the rustic vernacular of the local area. Therefore, the proposed two storey housing would include well balanced and traditional window types, with two, four and six pane casement windows and detailing such as stone cills and hooded porches adding simple, but effective, enlivenments to the elevations.
- 7.68** To provide variety and visual interest, the two-storey housing includes variations on design and arrangement. One approach for the pairs of semi-detached housing would have a simple oblong footprint, but this would contrast with a version that would include a centrally staggered off-set. The plans also show that some of the pairs would be finished with a buff brick, whereas others would be finished with reproduction stone, render or dark stained boarding. In addition, the detached houses would include two versions with a wider frontage, to appear as a farmhouses or cottages either with a centrally located door, or the door set to one side. In addition, one version of the detached houses would provide a gabled frontage to the highway. These properties would include reproduction stone elevations.
- 7.69** The final house design would be a detached bungalow. This would comprise two offset gabled sections, linked by a narrow single storey porch. This design would have a more informal appearance and reflect some of the cottages within Shalfleet that have been extended over time. Again, the elevations would have an attractive and simply appearance, with well-arranged fenestration and simple stone or stained boarded elevations. To provide for further variety, the submitted roof plan for the site shows that some of the houses would include natural slates roofs, to blend with the majority red clay tile roofs. This, along with the subtle design variations for the housing would provide variety.
- 7.70** The street scenes and layout for the development would broadly reflect Shalfleet's character, as an attractive and historic rural village. It would not be possible to wholly reflect the embedded charm of the historic village core, because this leads from the setting of St Michael's Church and the rather haphazard and unique layout of properties, many of which are historic and have evolved over time, reflecting their purpose and the needs of previous owners. To attempt to wholly reflect this would lead to a contrived development. Instead, the use of a limited number of materials (two materials for each house), the use of reproduction stone and buff brick and the mix of slated and tiled roofs would reflect predominant materials for the village.
- 7.71** Moreover, the simple approach to fenestration would combine with the generally oblong form of houses to reflect those within the village. When stood within the proposed development, the curving nature of the proposed roads would prevent a repetitive or rigid vista of properties and the closes would provide small clusters of properties, to provide deep vistas of the attractive properties, set within landscape grounds. The varying angles of elevations and gaps between housing

would contribute to this sense of depth, with backdrop views of existing woodland along with deep front gardens and planting to result in attractive viewpoints. This approach has been used at the recently constructed development at Blanchards in Brighstone, whereby simple, high quality design approaches for housing, subtle changes to road alignment and use of landscaping has combined to provide an attractive development that adheres to the integrity of its surroundings.

- 7.72** Officers consider that the choice of materials for houses and hard surfaces would be important and therefore, considered that this issue should be subject to conditions. Moreover, it would be important for the final choice of boundary treatments would be integral to the quality of the development, given that some curtilages would be side onto highways. Subject to these issues being controlled, it is considered that the design and layout for the proposed housing development would be of a high quality, that would pay due regard to the village and comply with the design related policies within the Island Plan and the NPPF.

*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 attractive housing within the core of Shalfleet and the pattern of development for nearby more modern sections of the village. Moreover, the provision of the open space, set back nature of houses and the proposed hedgerow and tree planting would provide high quality street scenes throughout the development.
- 7.74** Regarding landscape impacts, the proposed development would have no or minor impacts on more distant areas of the surrounding landscape. The site would either be screened by existing vegetation and/ or topography from many landscape areas, and the viewpoints within them. The development would therefore cause no harm to these areas, including the more distant areas of the National Landscape and Heritage Coast to the north.
- 7.75** The development would have a more obvious impact on the landscape close to the site, and in particular those areas to the north, south and east and the viewpoints within them. Officers consider that the development would cause a minor level of harm to the landscape immediately to the north, which is part of the National Landscape and for users of the highway between, which is not part of the designated landscape. The development would result in material harm to the closer sections of landscape and visual receptors to the south and east of the site, causing significant change to views and the character of the area. It is considered that this harm would weigh significantly against the proposed development.

Impact on heritage assets

- 7.76** 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.

- 7.77** 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 207 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.
- 7.78** Heritage assets include listed buildings, conservation areas, registered parks and gardens, scheduled monuments and locally listed buildings. Shalfleet contains numerous listed buildings, and the core of the village is a conservation area. The conservation area begins on the western side of Warlands Lane, with the western boundary of the designation extending between the A3054 and Church Lane. The western edge of the Conservation Area is located approximately 200m from the application site. Between the site and the Conservation Area is the existing housing that forms Fleet Way, a large 1980s residential estate, along with the housing that aligns the western edge of Warlands Lane. Due to the intervening residential development, there is no visual link between the site and the designation and therefore it is considered that there would be no direct harm to the conservation area, or its setting.
- 7.79** The Conservation Area includes several listed buildings. The Church of St Michael's the Archangel (referred to as St Michael's Church for the remainder of this report) is a grade I listed building. The Church is impressive with its large square castellated tower that dates from 1070 and the grounds include the wider churchyard that is enclosed by attractive stone walls, as well as a monument and two graves that are listed in their own right. The former Rectory to the east of the Churchyard is a grade II listed building as is the New Inn public house located to the northeast. This group of important listed buildings are a focal point for the conservation area. In addition, Shalfleet Church Hall is a locally listed building and is said to be a former barn that was converted to be the Church Hall, located to the west of the main Church. It is an attractive building set within a wide field, with the churchyard surrounding its northern elevation. However, the application site is located approximately 460m from the listed buildings, which are located at a lower ground level with the intervening area containing housing that blocks any visual relationship between the heritage assets and the area proposed for housing. As a result, it is considered that the development would not result in direct impacts on the listed buildings, their setting or any curtilage listed walls or structures that they comprise.
- 7.80** Shalfleet Manor is a grade II\* listed building located approximately 150m north of St Michael's Church, within landscaped grounds that are screened from view by dense hedgerows. The manor is set on slightly higher land than the Church and includes several other curtilage buildings and structures within the grounds. In a similar manner to the listed buildings considered above, officers consider that the proposed development would not impact on the listed manor house, or the

various structures and buildings within its curtilage, due to the distance between them and the application site, and intervening housing.

- 7.81** Warlands Farmhouse and the barn to the east of it are both Grade II listed buildings and located approximately 170m west of the application site. The farmhouse is two storeys, constructed of stone and an attractive part of Warlands Lane. The curtilage to the east of the house includes the former farmyard, with various stone barns arranged in a quadrant. The northern boundary of the farmyard is formed by a low but attractive stone wall that is adjacent to Warlands Lane, which being relatively low allows views towards the farmhouse, large listed threshing barn that forms the southern edge of the yard and other buildings.
- 7.82** The farmhouse's setting must by virtue of its previous use, have been heavily connected to the farming landscape that surrounds it. However, this has clearly altered over time, with the housing constructed to the north within Warlands Lane in the 1960s and then the more substantial housing development constructed within the Fleet Way estate, in the 1980s. This area is readily apparent within the setting of the listed farmhouse and barn because the housing is directly opposite to the low farmyard wall and so visible together. The listed buildings, therefore, share a relationship with these areas of housing.
- 7.83** The main elevations of the farmhouse face south and there is a large garden that surrounds the south and western area of the farmhouse, which is heavily screened by tree lined hedgerows. Between the western garden boundary is an agricultural field that stretches to the section of Warlands Lane further west a distance of circa 80m, where there is a further tree lined hedge. Beyond this is the tree lined eastern boundary of the application site. Officers consider that the proposed development, while taking place on existing farmland, would not compromise the setting of the listed buildings within Warlands Farm. The intervening distance and dense screening provided by existing tree lines would prevent the housing from being visually connected to the farm, or the setting of the listed buildings. Even when stood with Warlands Lane and opposite to the open northern boundary of the farmyard, the housing would be barely visible within westerly vistas, where the housing within Warlands Lane is already visible.

#### *Archaeology*

- 7.84** The information provided by the applicant has shown that the potential for Palaeolithic remains is medium, due to presence of river terrace deposits within the site. In addition, the potential for Roman and Medieval is also medium due to recorded finds within the site and its vicinity. The potential for archaeological remains relating to Mesolithic, and later prehistoric periods, Saxon and post-Medieval periods are all considered to be low.
- 7.85** The Council's Archaeological Officer has considered these assumptions and recommended that should the development be approved a staged programme of archaeological works should be carried out during development. The officer has advised that this should include a pre-commencement trial trench evaluation, the results of which would be used to inform any further mitigation which may be required. The officer has commented that whilst evaluating the site for any Roman, Medieval or other archaeological features or deposits, the evaluation would provide an opportunity to assess any superficial Pleistocene geological

deposits which may lie within the site for potential for Palaeolithic archaeology. The officer has advised that this could be carried out by means of machine dug test pits supervised by a geoarchaeologist/archaeologist with appropriate expertise during the trial trench evaluation, with the evaluation to be carried out at the earliest opportunity to ensure there is adequate time to scope any mitigation. The Archaeological Officer has recommended conditions to secure these works, which are considered to be reasonable.

*Public benefits/ conclusion on heritage assets*

- 7.86** Having regard to the above, the proposal would result in less than substantial harm to the significance/setting of nearby heritage assets. 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.
- 7.87** 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. 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 the heritage assets listed above. 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.

Impact on neighbouring properties

- 7.88** It should be noted that the visual impact of the development on nearby properties has been considered within the landscape and visual impacts section of this report and will not be repeated here. However, impacts such as noise, loss of outlook, light and privacy as well as dominance will be considered within the following paragraphs. The nearest property to the west of the site is located 225m away and this level of separation would prevent any impacts as a result of loss of outlook, light or privacy. In a similar manner, the nearest properties to the south are 270m away, and screened by significant woodland, which would prevent any impacts.
- 7.89** The application site is bounded to the north and east by residential properties within Burt Close, Warlands Lane and Fleet Way. These properties are a mix of bungalows and two storey houses. The properties within Fleet Way and Warlands Lane, which adjoin the eastern boundary of the site are separated by a high hedge, although in places this has been lowered or replaced with timber fences. The rear elevations of properties within Fleet Way face west and overlook the current field, although those within the northern end of Fleet Way already overlook the recently constructed houses within Burt Close.

- 7.90** The applicant's site plans show that two-storey houses would be located alongside the eastern boundary shared with properties within Fleet Way. However, the properties to be located closest to this boundary would present side elevations to the rear elevations of houses in Fleet Way, reducing potential for loss of privacy to principal windows, or garden areas. Moreover, generous separation distances are shown, and these would prevent the proposed houses from appearing dominant, or from resulting in a loss of light or outlook to existing houses. It would not be necessary to remove permitted development rights for future first floor windows, as these would need to be obscure glazed as a result of the requirements of the General Permitted Development Order (GDPO). If not obscure glazed, first floor side elevation windows would require planning permission. The remainder of the proposed housing would be sited at greater distances, which would prevent impacts to residential amenity.
- 7.91** The western-most property within Warlands Lane is a detached chalet bungalow and this is separated from the site by a high hedge. The property comprises two dormer windows within its western roof plane, that face the west over the application site. The site plans show that two bungalows would be sited west of this property, therefore reducing the potential for loss of privacy and dominance to the upper floor windows. It is considered that the existing boundary treatments, combined with separation distances would prevent a loss of amenity to the bungalow and its garden.
- 7.92** The properties within Burt Close are arranged in a slightly off-set manner, with the southern properties within the close facing southwest or southeast. Because the northern section of the proposed housing would follow the width of Burt Close, the majority of the housing would have no impact on the residential amenity of existing houses to the north. The proposed houses that would adjoin Burt Close would be two storey and be set relatively close to existing houses. However, only the side elevations of the houses would face Burt Close, preventing issues of overlooking. Moreover, it is considered that adequate space would be provided to prevent the housing from appearing dominant, or from resulting in adverse loss of light or outlook.
- 7.93** The applicant's Transport Assessment uses the nationally recognised TRICs database to predict traffic levels for the proposed development. According to this information, the proposed development would generate 164 arrivals and 171 departures over a 12-hour day, a total of 335 movements and an average of 28 movements per hour. Traffic would pass through Burt Close, where properties are set back from the current access by a suitable amount to prevent the noise associated with vehicle movements from causing a loss of amenity.

#### *Air quality*

- 7.94** An Air Quality Impact Assessment has not been provided with this application, and 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. Noting the traffic levels set out within the above paragraph, it is apparent that the traffic generated by the proposed development 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.

### *Construction impacts*

- 7.95** Larger development sites can give rise to a temporary loss of amenity as a result of construction activities. Therefore, noise and dust emissions associated with the construction process could impact on the properties closest to the site. The development has the potential to take between two 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, measures taken to suppress noise and dust and to secure phasing of the development. These controls would limit impacts to an acceptable level. Therefore, an appropriate condition has been recommended.

### *Conclusion on impact on neighbouring properties*

- 7.96** It is considered that the proposed development would not compromise the amenity of nearby existing properties, due to 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 and is therefore given neutral weight by officers.

### Ecology and trees

- 7.97** The application site is not designated for ecology reasons however, Pondclose Copse is located immediately to the south and is designated as a Site of Importance for Nature Conservation (SINC), Ancient Woodland and the subject of a woodland Tree Protection Order (TPO). The applicants have provided an arboricultural report, a bat survey and a preliminary ecological appraisal (PEA).
- 7.98** The PEA considers nearby designated sites and includes the results of a site survey and desk top surveys, which have considered local records of protected species. The survey found that trees close to the site had the potential to support roosting bats but that the site itself was of low ecological value, being an arable field. Nonetheless, the PEA advises that there is improved grassland along the northern site boundary, scattered scrub along the northeastern boundary and hedgerows along the eastern boundary. The PEA advises that the hedgerows at the site are species poor but that the majority would be retained, other than a short section removed to provide for pedestrian access onto Warlands Lane.
- 7.99** The PEA advises that the development would result in the loss of 0.31ha of grassland, 100 square metres of scattered scrub, with both considered to be of relatively low ecological value and of negligible importance and short section of hedgerow. The report advises that this could result in the possible loss of habitat for badgers, hazel dormice, reptiles, nesting birds and hedgehog. To account for this, the applicant proposes to provide habitat and enhancement measures for wildflower meadow planting, new hedgerows, a pond, habitat piles and bird/ bat boxes. The PEA includes the following mitigation and enhancement measures:



- Construction works to not be carried out at night if possible (in order to prevent disturbance to the bats feeding and commuting on-site). If night work is deemed necessary then all form of lighting should be directional, and face away from linear features such as hedgerows and trees
- The same lighting principles to be applied post construction i.e., low level lighting during bat active periods to avoid disturbing the local bat community
- Dark corridor incorporated within the minimum 15m buffer to the ancient woodland and if possible, the eastern boundary hedgerow to protect hunting/foraging grounds
- The supplied landscaping plan to include planting tree species such as oak (*Quercus robur*), an ideal tree as it hosts a variety of different insects (increasing foraging opportunities for bats)
- Bat boxes will be included when trees are mature enough
- The development proposal includes a pond, to benefit bats which like to forage close to bodies of water
- Wildflowers to grow within 15m buffer to increase floral biodiversity

**7.100** The application is also supported by a bat survey. This includes the results of transect surveys undertaken in May, June and September 2022 by a licensed ecologist. The surveys confirmed that six species of bat were present, commuting over the site and specially along the edge of woodland. The information confirms that the woodland edge is the most important habitat for bats at the site, using it for foraging and roosting. However, the information advises that no bats were seen within the central areas of the site, because the field is not suitable for foraging.

**7.101** The submitted plans show that the edge of the site would include a 15 metre wide landscape buffer, to distance the proposed housing and associated gardens from the Ancient Woodland. These areas would be used to provide the additional habitat and would be planted with low level trees and wildflowers to encourage biodiversity and also attract insects for bats to forage, along with potential further roosting opportunities. The buffer had originally been shown to include access for residents, however following concerns raised by the Ecology Officer, this area would no longer allow access for residents. Instead, the buffer would be maintained by the current landowner, who currently owns and manages Pondclose Copse. Therefore, a condition is recommended to secure a management plan, to formalise the management of the Ancient Woodland and the buffer strip.

**7.102** The applicant has also confirmed that the proposed pond would include graded banks to allow accessibility for small mammals and invertebrates, and that the edges of the pond would be planted with shrubs and trees to provide habitat and cover for animals and birds. Revised plans have been provided which show the pond moved further from the Ancient Woodland, to comply with the requirement for a 15m buffer.

**7.103** The Council's Planning Ecology Officer has noted that the proposed landscape buffer would not be open to the public and concluded that the proposed supplementary planting would enhance the area for biodiversity as well as offer potential enhancement of the adjacent woodland. However, the officer has

advised that additional details of planting for the buffer with suitable indigenous species, with this reflected within a wider landscaping plan for the site. As a result, a landscaping condition would be added should the development be approved, along with conditions to secure management of the buffer strip and the adjacent Ancient Woodland, and to secure the mitigation measures set out within the PEA.

- 7.104** Whilst the national requirement for biodiversity net gain (BNG) of a minimum of 10% for major development was introduced on 12 February 2024, this application was submitted before this date so isn't required to provide BNG.
- 7.105** The Council's Planning Tree Officer has noted that a 15m buffer would be provided between the site and the Ancient Woodland. Beyond this, a fence would be installed, with back gardens for properties providing a further separation between the proposed housing and woodland. The Planning Tree Officer has mirrored comments made by the Planning Ecology Officer in relation to the proposed pond and the need to secure details of landscaping. Both officers note that the pond has been moved away from the woodland and the 15m buffer zone but advised that final details of excavations should be secured, to ensure no damage to the woodland. The Planning Tree Officer has advised that disturbance of the buffer zone would have to be maintained to a minimum and protections such as ground guards put in place to limit impact and change to the buffer zone whilst the pond is dug. The Planning Tree Officer has advised that the runoff from the pond must be directed away from the woodland to prevent change of environment in the woodland. Officers consider that these details could be secured by condition.
- 7.106** It is considered that subject to enhancement and mitigation measures being secured by condition, the development would not compromise biodiversity or protected woodland. While relatively modest areas of existing habitat would be lost, the proposals include measures for additional planting and habitat creation, that would enhance habitat for species. Moreover, the proposed 15 metre buffer strip would prevent harm to protected woodland.
- 7.107** 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.
- 7.108** 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 Solent and Southampton 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.

- 7.109** Natural England's current advice is that development should not add to existing nutrient burdens on Solent European Sites (Solent & Southampton Water SPA/Ramsar, Solent & Dorset Coast SPA, and Solent Maritime SAC) 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 directing wastewater 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.
- 7.110** In this case, the wastewater for the development would be connected to the public sewer system, which directs water to the Southern Water treatment works located within Warlands Lane, Shalfleet. This treatment works discharges treated wastewater to the Caul Bourne, which flows into the Newtown Estuary, which is part of the Solent and Southampton Water Special Protection Area (SPA). The treatment works does not currently reduce nitrates to a level that would achieve nutrient neutrality. As a result, without mitigation in place, the development would further compromise the integrity of Solent European Sites.
- 7.111** In April 2023 planning permission was granted (22/00761/FUL) for an engineered wetland scheme that would be located adjacent to the Southern Water treatment plant. Wastewater would be treated within the treatment works and then passed into the wetland, to filter out residual nutrients. The engineered wetland has been purposely designed to reduce nutrients from residential drainage and once operational, would allow developers to purchase nitrate credits to offset nutrient loading arising from permitted housing. The wetland would provide credits equivalent to 1700 kg TN/ year. The Council has entered into a legal agreement to secure the monitoring of the wetland, and the phased release of nitrate credits. Natural England has confirmed its support for this approach and the level of credits generated by the wetland scheme.
- 7.112** The applicant has provided calculations for the nitrate loading of the development, taking into account the current and proposed uses of the application site, the number of proposed houses, the level of occupancy and daily water usage. This has shown that the proposed development would result in a nutrient loading of 218.06 kg TN per year. To achieve nutrient neutrality the applicant would purchase nitrates credits released by the wetland scheme, equivalent to the nutrient loading set out above. Officers consider that this would be a suitable approach, that would offset the nitrates impact of the development and ensure that it would not result in detrimental impacts to Solent European Sites.
- 7.113** To ensure that the development did not result in impacts to Solent European Sites, clauses would be included within the legal agreement to require the development to connect to the public sewerage system, with wastewater directed to the Warlands Lane treatment works. A further clause would require the purchase of nitrates credits and the clauses would be written to ensure that the development could not be occupied until the wetland scheme had been constructed in accordance with the approach secured through its planning permission, with the approved drainage approach to be installed prior to occupation of any dwelling. The implementation, management and monitoring of the woodland buffer strip to the southern and western edges of the development site will be controlled through a planning condition. This would ensure that the

equivalent change in land use from agricultural to woodland planting which is included in the nitrates calculator is secured.

#### *Conclusion on ecology and trees*

- 7.114** It is considered that site landscaping, tree protection and ecological mitigation and enhancement measures could be secured and controlled through conditions. Solent SPA mitigation and nutrient neutrality would be secured by a combination of planning obligation and condition and it is considered that the proposal would protect, conserve and enhance ecology and biodiversity, and would not have adverse impacts on Solent European Sites 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.

#### Highway considerations/ Rights of Way

- 7.115** The proposed development would be served by the existing access that serves Burt Close, and that was constructed in accordance with the planning permission for that site. Burt Close includes a turning head adjacent to its southern boundary, and this would be extended to provide a central spine road into the proposed development, with cul-de-sacs leading from it. 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 safety and network capacity*

- 7.116** As noted above, the access onto the highway network is existing, and includes a priority junction that adjoins the southern side of the A3054, Newport to Yarmouth highway. The Island Roads Highway Engineer has confirmed that the access has been the subject of a Safety Audit, which identified no issues for the junction. Therefore, the principal means of access onto the highway is considered to be acceptable. The Highway Engineer has also advised that visibility would be acceptable for vehicles entering the proposed development, via the existing Burt Close access road.
- 7.117** In addition, the Highway Engineer has confirmed that the internal spine road for the proposed development, which would measure 6 metres wide and include a two metre wide footway, would meet design standards and safely accommodate the types of vehicles likely to use the highway. However, the Highway Engineer has advised that speed reducing features would be required for the first section of the road, given its straight alignment. It is considered that these could be secured by condition. The Engineer has advised that refuse vehicles would have difficulty negotiating the proposed cul-de-sacs and as a result has advised that communal bin collection points should be provided and secured by condition. Officers agree that such details could be secured by condition.
- 7.118** The Highway Engineer has confirmed that appropriate levels of access visibility would be provided for the junctions within the application site, based on a design speed of 20mph, but could be restricted by future planting and have therefore

advised that a condition should be imposed to ensure that visibility splays would be provided. Officers agree that this approach would be reasonable. In addition, the Highway Engineer has advised that forward visibility would be limited to below eleven metres for all of the proposed cul-de-sacs but would meet the standard for the proposed shared surface loop adjacent to the open space on the eastern side of the site. The Engineer has commented that suitable visibility splays could be secured by condition, which officers consider would be a reasonable approach.

**7.119** The applicants have commissioned a Transport Assessment (TA) to determine whether the development would impact on the capacity of the highway network. The surveys contained within the TA indicate that traffic flows within the A3054 would be circa 5800 vehicles between 07.00 and 19.00 hours, with peak hour (08.00 to 09.00 and 17.00 to 18.00) flows being around 550 vehicle movements. Peak hour flows for Burt Close are around 12 vehicles in the morning, and 22 in the afternoon.

**7.120** The Island Roads Highway Engineer has calculated that trip rates for the proposed development would equate to 41 vehicle movements during the morning peak hour, and 67 in the afternoon peak hour. The Engineer has advised that this would allow the existing junction onto the A3054 to operate with significant spare capacity and therefore, has advised that there would be no significant impact on the highway network. Moreover, in their latest comments, provided in May 2023, the Highway Engineer advised that there had been no recorded accidents in the last three years in the vicinity of the site. As a result, officers consider that subject to conditions, the proposed development would be served by safe means of access.

#### *Parking provision*

**7.121** 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

The submitted plans show that the site would include the required level of parking for each dwelling, and therefore comply with the requirements of the SPD.

#### *Rights of way and accessibility*

**7.122** The application site is located within a rural area, however, there are bus stops located within the A3054, and these are considered to be within walking distance of the application site. It should be noted that a new pavement was constructed as part of the Burt Close development, which links the bus stops to the east of the site, to the right of way that aligns the eastern boundary of the site. Moreover, the submitted plans show that the right of way would be surfaced, to link the site to Warlands Lane, giving pedestrian access to the village shop, Church and Public House. While Warlands Lane does not contain pavements, it is a quiet

rural land, with wide grass verges, that lead to a pedestrian footway within the eastern end of the lane.

- 7.123** The Highway Authority and the Public Rights of Manager have objected to the development due to the absence of formalised pedestrian links to Shalfleet Primary School, which is located circa 800m from the application site. The Burt Close development provided a 270m surfaced right of way link west of its junction with the A3054, to link to a public footpath that continues north toward Hamstead. However, beyond this, there is no pedestrian link to the school, via the A3054. Officers are aware that a limited number of parents do walk along the grass verges that align parts of the A3054 to travel to the primary school. However, this route is not safe, given the alignment of the road, the narrowness of the verge and the speed of traffic.
- 7.124** Officers have required the applicants to undertake a feasibility study to establish whether a pedestrian link could be provided between the site and the primary school. This initially involved studying the potential for a link alongside the highway, and land located immediately adjacent to it. The study showed that it would not be feasible to provide a link within the A3054 because in several places, there was not space to provide a pavement of sufficient width and suitable design. In addition, providing a link utilising the highway would require installing a pedestrian bridge across Atkies Stream, adjacent to the existing highway bridge, approximately 360m west of the application site. At this point, the stream is wider with steep tree lined banks. Locating a bridge here would require third party land, but more importantly, have ecological implications for the woodland and stream.
- 7.125** As this option was discounted, officers required the applicants to assess the potential for a link that relied on farmland to the west of the site. However, this would have required the link to pass through private domestic land, and unfortunately agreements were not possible for these sections to be used. It is considered that securing a link to Shalfleet Primary School would be an important improvement to the area, but currently it would appear that achieving such a link would not be feasible. The applicant has agreed to provide a right of way contribution of £70,000 to allow the Council to improve right of way links within the area, or to assist with a future link to Shalfleet Primary School, should the Local Authority be able to pursue the matter. This would weigh moderately in favour of the scheme and ensure that impacts on the right of way network could be mitigated.

*Conclusion on highway considerations*

- 7.126** Having regard to the above, it is concluded that, subject to the recommended highway conditions being imposed, the proposed development would provide safe and suitable means of access and comply with the requirements of the Council's Parking Guidelines. 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 provide a contribution towards rights of way improvements. 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.

## Drainage and flood risk

- 7.127** The application site is located within flood zone 1 and therefore, within an area at the least risk of flooding. The site occupies a relatively high land level within the local landscape, well above any river/ stream valleys and is therefore not at risk of flooding. During the course of the planning application, the Planning Authority has received comments related to inundation of the public sewer, however this is an existing situation not caused by the proposed development. Therefore, the key issue for this proposal is how surface water would be drained, and whether there would be capacity for the public sewer system to accept flows of wastewater from it.
- 7.128** The applicants have provided a Flood Risk Assessment and Drainage Strategy, and this confirms that wastewater would be directed to the public sewerage system. Southern Water has confirmed that they could facilitate foul sewerage disposal for the development. Should any capacity requirements arise as part of the connection to the public sewer, then they would be dealt with through that process, rather than the planning process.
- 7.129** The Drainage Strategy confirms that the geology for the area is not conducive to using infiltration for drainage of surface water, because the soils area categorised by the British Geological Survey (BGS) as being rich loamy and clayey soils that are slowly permeable and seasonally wet. The runoff rate for the land as it stands, is 21.33 litres per second. The Drainage Strategy advises that the site would result in impermeable areas and therefore, without mitigation increase surface water runoff.
- 7.130** The Drainage Strategy advises that to attenuate surface water on site, paving would be permeable with roads and parking areas to include 30% void space. This would slow run-off rates from these areas and allow a small level of water to drain to the ground. Remaining surface water would be directed to a pond, which would be located within the western side of the site. This would collect excess surface water. In addition, because the southern section of the site has a lower ground level than the pond, an underground storage tank would be provided. Both of these would be fitted with hydro-brakes so that when released, surface water would be restricted to a run-off rate of 21 litres per second, which would prevent the site from increasing potential for localised flooding. Officers consider that this solution would be acceptable, subject to agreeing final details of systems to filter silt, debris and hydrocarbons. The development is therefore considered to comply with the requirements of policy DM14 of the Island Plan.

## Other matters

### *Impact on tourism*

- 7.131** 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 and attractions located within the West Wight. While the proposed development would result in impacts on the surrounding countryside, these impacts would be from a relatively discrete area, with tourists passing first a development site and then housing within an existing

village. 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 the West Wight or the wider the Island.

### *Renewable energy*

**7.132** The submitted information includes a Sustainability Strategy that outlines how the site would be developed to include sustainability measures, taking account of the Council's Mission Zero document. The document advises that the development would need to comply with recently adopted Building Regulations that require developments to meet stringent requirements for lowering the carbon footprint of a development. Parts O of the Regulations requires developers to prevent overheating of properties, while Part L requires the conservation of heat and power and on-site generation of electricity.

**7.133** The submitted sustainability strategy advises that the proposed development would include the following measures to comply with Parts O and L of the Building Regulations:

- High efficiency building fabric
- Minimal thermal bridging
- Heat pumps for space heating and hot water
- Renewable technology such as PVs
- Minimising solar gain through external internal shading, or solar control glazing
- Maximising potential for passive cooling through natural ventilation via openable windows

In addition, it also advises that dwellings would include high levels of insulation on external walls, roofs and floors and that windows with high thermal performance would be used. In addition, space would be provided for electric vehicle charging points throughout the site.

## **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 it is noted by officers (but not given weight) that the scheme would also result in wider benefits through council tax and new homes bonus, along with the additional footfall for the various businesses within Shalfleet, such as the nearby public house and village stores. 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 70 additional residential units, of which 27 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 and a right of way contribution of £70,000. 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 70 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 Warlands Lane, with nutrient loading offset through the purchase of nitrates credits. 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.

- 8.7** In addition, the proposed development would not compromise protected species or habitats on site and deliver biodiversity improvements through the provision of buffer areas planted with native species of plants and trees. This buffer would also ensure that development would be suitably separated from the Ancient Woodland that is located adjacent to the site.
- 8.8** The proposed development would not result in harm to landscape and visual receptors located at greater distances from the application site. The development would have a more obvious impact on the landscape and visual receptors close to the site, and in particular those areas to the north, south and east and the viewpoints within them. Officers consider that the development would cause a minor level of harm to the landscape immediately to the north, which is part of the National Landscape and Heritage Coast and for users of the highway between, which is not part of the designated landscape. The development would result in material harm to the closer sections of landscape and visual receptors to the south and east of the site, causing significant change to views and the character of the area. It is considered that this harm would weigh significantly against the proposed development.

## Conclusion

- 8.9** Since 2012/13 a total of 5,720 homes should have been delivered across the Island (520 homes per year), but a total of 4,208 have been delivered (an average of 382 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.
- 8.10** The proposal raises issues that are finely balanced, and particular the benefits of providing much needed housing, which must be weighed against the landscape harm that would be caused. The proposal seeks to provide 70 new homes, and Officers consider that the development would result in minor economic benefits, with significantly adverse environmental impacts caused by landscape and visual impacts that would be outweighed by the substantial social benefits brought through the delivery of housing within a suitably 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 was deficient in information relating to impacts on protected woodland and wildlife. Further information provided during the course of the application that overcame the Council's concerns.

## **10 Conditions and reasons**

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

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

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

Site plans

0319/SH/001  
0319/SH/003  
0319/SH/004  
0319/SH/007

House types

0319/SH/011-A1\_1  
0319/SH/011-A1\_2  
0319/SH/011-A1\_3  
0319/SH/011-A1\_4  
0319/SH/011-A1\_5  
0319/SH/011-A1\_6

0319/SH/011-A2\_1  
0319/SH/011-A2\_2  
0319/SH/011-A2\_3  
0319/SH/011-A2\_4

0319/SH/011-B1  
0319/SH/011-B2  
0319/SH/011-B3  
0319/SH/011-B4  
0319/SH/011-B5  
0319/SH/011-B6

0319/SH/011-C1  
0319/SH/011-C2

0319/SH/011-C3  
0319/SH/011-C4

0319/SH/011-D1  
0319/SH/011-D2

0319/SH/011-E1  
0319/SH/011-E2  
0319/SH/011-E3  
0319/SH/011-E4  
0319/SH/011-E5  
0319/SH/011-E6  
0319/SH/011-E7

0319/SH/011-F1  
0319/SH/011-F2

0319/SH/011-G1  
0319/SH/011-G2  
0319/SH/011-G3  
0319/SH/011-G4  
0319/SH/011-G5

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 to and agreed in writing by the Local Planning Authority. The evaluation will be carried out in accordance with a Written Scheme of Investigation which has been submitted in accordance with condition 5.

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.

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 submitted to and 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 (Historic and Built Environment) of the 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 and delivery times, 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, and to secure habitat creation and enhancement measures 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 (including working times and lighting) 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 and the long-term management of the buffer zone and landscaped areas of the site
- Details of additional planting and habitat creation in accordance with the requirements of the landscaping condition
- The provision of a wildlife corridor adjacent to the site boundaries to provide habitat creation and enhancement

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.

No hedgerow or habitat removal should take place during the recognised bird nesting season (1st March to 31st July in any given year) unless the area to be removed, has been surveyed by a qualified ecologist, to confirm that no nesting birds were present.

Development shall be carried out in accordance with the approved details and the agreed measures be retained and maintained thereafter.

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. Prior to the commencement of the development, including ground clearance, measures to prevent impacts to retained trees, woodland and hedges, including the provision of the permanent 15m buffer zone related to Ancient Woodland and shown on the approved plans, shall be submitted to and agreed by the Local Planning Authority. The Information should include details of protective fencing and exclusion areas, the use of ground guards and other protective measures to limit disturbance to the buffer zone and prevent impacts to protected trees and woodland during the excavation of the pond. No construction processes or storage of materials or plant shall take place within the agreed fenced areas, other than the creation of the approved pond, and habitat creation.

Development shall be carried out in strict accordance with the approved details, and the buffer zone shall be provided prior to the first occupation of any dwelling and be retained thereafter.

No public access shall be provided within the buffer zone at any time.

Reason: To avoid impacts to, and to ensure the favourable conservation status of protected woodland, 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 trees, woodland and hedgerows at all stages of site works.

10. Prior to the commencement of the approved pond, details of its depth, the profile of banks, means of drainage of excess water (away from the Ancient Woodland) and the location for the spreading of excavated materials shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details, and the pond shall be provided prior to the occupation of any dwelling at the site and be retained thereafter.

Reason: To ensure that the proposed pond provides suitable safe habitat for wildlife, to prevent impacts to protected trees and woodland 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.

11. Notwithstanding the details shown on the approved plans, prior to commencement of the development hereby permitted details of the extended private footpath to existing public footpath 13, and upgrade to the footpath link between the application site and Warlands Lane shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include the

means of construction and top surface for the rights of way and any boundary treatments related to them. The extended/ upgraded rights of way shall be carried out in accordance with the agreed details, be provided prior to the first occupation of any dwelling hereby permitted and shall be retained and maintained thereafter.

Reason: 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. This is a pre-commencement condition due to the early stage at which the rights of way would be required.

12. Notwithstanding the details contained within the approved plans, prior to commencement of the development hereby permitted details of an uncontrolled pedestrian crossing facility for the A3054 and located to the east of the Burt Close junction shall be submitted to and agreed in writing by the Local Planning Authority. The approved pedestrian crossing shall be provided prior to the first occupation of any dwelling hereby permitted, and shall be retained thereafter.

Reason: 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. This is a pre-commencement condition due to the early stage at which the crossing would be required.

13. Notwithstanding the details contained within the approved plans, prior to the commencement of the development hereby permitted, details of speed reducing features involving a change in horizontal alignment on the proposed spine road to be located no more than 45m from its junction with the existing Burt Close development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed speed reducing features shall be completed prior to the first occupation of any dwelling hereby permitted, and shall be retained thereafter.

Reason: 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. This is a pre-commencement condition, due to the early stage in the development process at which designs of the features would be required.

14. Prior to the first occupation of any dwelling hereby permitted, details of the type and location of bin storage points related to properties within the cul-de-sacs of this development, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed storage points shall be provided prior to the first occupation of any dwelling hereby permitted and shall be retained thereafter.

Reason: 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.

15. Notwithstanding the details contained within the approved plans, prior to the commencement of the development hereby permitted, details of the design, surfacing and construction of any new roads, footways, accesses and car parking areas including the transition between shared surface streets and conventional streets, footway locations, pedestrian crossing points, tactile



paving, dropped kerbs and vehicle crossovers, 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.

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.

16. Notwithstanding the boundary treatments and landscaping shown on the approved plans, prior to the commencement of the development hereby permitted, details the proposed highway visibility splays and forward visibility splays associated with all junctions, vehicular and pedestrian accesses and crossing points shall be submitted to and agreed in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the approved visibility splays have been provided in accordance with the agreed details. The approved visibility splays shall be retained thereafter.

For the avoidance of doubt access and junction visibility splays shall be no less than 2.0m x distance and 25m y distance, pedestrian access shall be no less than 1.5m x distance and 25m y distance and forward visibility shall be no less than 25m.

Reason: 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.

17. 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.

18. 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 ecological information 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 plants shall be native species. All planting in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the approved development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

19. 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.

20. 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.

21. 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.

22. 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 impacts to wildlife, 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 Ancient Woodland and species it supports 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.

23. 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, landscaping and open verges 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.

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 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.

## **11 Informatives**

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

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

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