

**02 Reference Number: 21/00279/FUL**

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

**Site Address: Plot A1, Island Technology Park, Whippingham Road, East Cowes, Isle of Wight**

**Applicant: Certas Energy UK Ltd**

**This application is recommended for Conditional Permission**

**REASON FOR COMMITTEE CONSIDERATION**

The Council's Constitution requires the application to be determined by the Planning Committee as the development involves Council-owned land.

**MAIN CONSIDERATIONS**

- Principle
- Impact on the character of the surrounding area and setting of heritage assets
- Impacts on ecology/biodiversity
- Impact on neighbouring properties/uses
- Highways considerations
- Drainage and impact on water quality

**1. Location and Site Characteristics**

- 1.1. The application site relates to part of a larger area of land to the southwest of the A3021 (Whippingham Road) and to the southeast of GKN's Osborne site, that was granted outline planning permission in March 2011 (P/01060/10) for B1/B2/B8 employment use (Island Technology Park - ITP). The north-eastern part of the wider site is now occupied by the IW College's CECAMM site.
- 1.2 The site is located within the Medina Valley Key Regeneration Area, but outside of its defined settlement boundary, which is located approximately 370m to the northwest of the application site.

- 1.3 To the immediate southwest and southeast of the site are open field parcels bounded by trees and hedgerows, with both eastern boundaries of these fields being quite open and bounded by post and chainlink fencing. Further afield on the eastern side of Whippingham Road are two small enclaves of housing located off Alverstone Road and Campfield Road. The locally listed Priory School and the Grade II listed Whippingham Rectory, Victoria and Albert Cottages, and Padmore House, as well as the Grade I listed St Mildred's Church, are located off Beatrice Avenue around 200m-300m to the south and west of the site.
- 1.4 The application site is fairly level and open, devoid of any vegetation, hard surfacing or buildings, but is partially enclosed by post and rail fencing along its south-western and south-eastern boundaries, beyond which there is a sharp change in level, comprising an existing ditch/pond feature. Running from Whippingham Road to Beatrice Avenue, just outside of the Island Technology Park (ITP) site boundary with the agricultural land to the south, is public footpath CS25. This footpath is open to the agricultural land but enclosed by existing hedgerow to the north, screening it from the ITP site.

## **2. Details of Application**

- 2.1 The application seeks full planning permission to use the southwestern section of the ITP site as a fuel storage and distribution depot. From here the applicant would supply Island homes and businesses with domestic fuel and heating oil (kerosene, gas oil and DERV).
- 2.2 Existing vehicular and pedestrian access would be utilised from Whippingham Road via the ITP access road which is already in situ and currently serves the CECAMM site.
- 2.3 The submitted plans show that the site would comprise a concrete/hardcrete yard contained by 2.4m high Heras perimeter fencing with electronic sliding gate at the site entrance, within which a new single storey modular office building, 3x (125,000 litres) double-skinned and integrally bunded steel fuel tanks and areas for tanker loading/off-loading and parking, as well as for staff and visitor parking would be provided. The integrally bunded fuel tanks would be contained by a 150mm concrete upstand that would act as tertiary containment. An offloading base cabinet, electrical switch room, bottom loading skid, recycling and refuse storage facilities and a cycle parking shelter would also be provided. 8m high flood lights would also be installed around the site perimeter and near the site entrance at regular intervals.

- 2.4 The proposed modular building would have a footprint of 7.3m x 21.5m and would be 3.4m in height to roof apex.
- 2.5 The integrally bunded fuel tanks would occupy an area 14m x 12m and would be 3.65m in height, 5m in height when the access handrails atop of these steel tanks are accounted for.
- 2.6 The ancillary cabinet, electric switch room and loading skid would be 2.3m, 2.5m and 4m in height respectively.
- 2.7 In terms of surface water drainage, the plans indicate that this would be directed via a full retention separator to the existing swale (ditch/pond) that runs just beyond and parallel with the south-eastern site boundary. Foul drainage to serve the site office would be directed to the existing public sewer.
- 2.8 The application form explains that HGV tankers would unload fuel into the tanks and LGV tankers would then load fuel from the on-site tanks and distribute this Islandwide. Administrative duties would be undertaken by employees within the site office.

### **3. Relevant History**

- 3.1. P/01310/16: Approval of reserved matters on P/01060/10 for appearance, layout, and scale: granted 19/07/17.
- 3.2 P/00023/16: Variation of condition no's 2, 4 and 7 on P/00353/15 - TCP/29971/F to allow alterations to workshop buildings to include reduction in size and alterations to landscape proposal: granted 09/03/16.
- 3.3 P/00353/15: Proposed building to provide Centre of Excellence for composites, manufacture, and marine technology; associated parking and landscaping: granted 25/06/15.
- 3.4 P/01128/13: Alterations to approved access road: granted 20/12/13.
- 3.5 P/01060/10: Outline for construction of 16,861m<sup>2</sup> of Class B1/B2/B8 employment floorspace; Full permission for new junction off Whippingham Road and estate access road: granted 09/03/11.

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

National Planning Policy

- 4.1. The National Planning Policy Framework (NPPF) advises that the

purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF confirms that in the context of sustainable development the planning system has three overarching and mutually interdependent economic, social and environmental objectives.

4.2 The NPPF states that there is a presumption in favour of sustainable development and at paragraph 11 it explains that for decision-taking this means:

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

4.3 At paragraph 127, the NPPF states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive with good architecture, efficient site layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and

the fear of crime, do not undermine the quality of life or community cohesion and resilience.

#### Local Planning Policy

4.4 The Island Plan Core Strategy defines the application site as being within the Medina Valley Key Regeneration, but outside of its defined settlement boundary, and also within a Minerals Safeguarding Area. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP3 Economy
- SP5 Environment
- SP7 Travel
  
- DM2 Design Quality for New Development
- DM8 Economic Development
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk
- DM17 Sustainable Travel

#### Supplementary Planning Documents

4.4 The *Guidelines for Parking Provision as Part of New Developments* Supplementary Planning Document (SPD) came into force on 23 January 2017. The document sets out the expected parking provision for motor vehicles and the minimum number of cycle parking spaces required for all use-classes as part of new development, as well as the infrastructure requirements for electric vehicles.

4.5 The *Guidelines for Recycling and Refuse Storage in New Developments* Supplementary Planning Document (SPD) came into force on 23 January 2017. The document seeks to ensure that new developments include suitable provision for the storage of recycling and waste containers and ease of access to collection points as well as adequate access for refuse collection vehicles.

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

#### Internal Consultees

5.1 Environmental Health has raised no objections in respect of noise, light or air pollution and has confirmed that the site would be regulated by the Health and Safety Executive and the Environment Agency in terms of health and safety, control of explosive atmospheres and dangerous

substances and pollution, including fuel containment. These comments are discussed in more detail in the 'impact on neighbouring properties/uses' section of this report.

- 5.2 Island Roads, commenting on behalf of the Local Highway Authority, has advised that it supports the application provided a planning condition would be imposed to ensure development would not proceed until a Traffic Regulation Order has been made and implemented to impose parking restrictions (double yellow lines) within the Island Technology Park site access road so adequate space would remain free from obstruction to allow for articulated vehicles to safely negotiate this road to reach the application site from the public highway (Whippingham Road). A condition has also been recommended to ensure measures would be implemented during construction to protect the condition of the highway network (wheel cleaning and removal of any debris deposited on the highway from site traffic). Comments received from Island Roads will be discussed in more detail in the highways section of this report.

#### External Consultees

- 5.3 Environment Agency has no objections subject to the recommended condition being imposed to protect the underlying aquifer.
- 5.4 Southern Water has advised that it would require a formal application for connection to the public foul sewer, it has also provided advice in terms of the information that should be provided to the local planning authority in respect of any SuDS, including future maintenance and management arrangements. They further advised that the Council's technical staff and relevant authority for land drainage should comment on the adequacy of the proposals to discharge surface water to the local watercourse and that land uses that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

#### Parish/Town Council Comments

- 5.5 Whippingham Parish Council has made the following comments:
- No fuel depot on the Island and this put residents at risk if there is a breakdown in supply.
  - Any depot must meet future environmental needs and be as much as possible a green site.
  - Any building materials used should have low CO2 omissions and that carbon footprint would be offset.
  - Downlighting should be used.

- The site should be hidden as much as possible and landscaped.

### Third Party Representations

5.6 CPRE-IW has commented that the strategy for the site to create jobs has failed and raises the following concerns:

- Local community exposed to plethora of inappropriate ideas for use of the site, including the current proposal.
- Inappropriate location for development, between St Mildred's Church and Osbourne House, given historic association of these places with Queen Victoria and the Prince Consort.
- Proposal short-sighted and would leave damaged and polluted piece of countryside, investment should now be in alternative, green and clean energy.
- Hazardous nature of the site and proximity to college, may deter investors.
- Threaten dark skies.
- Restoration of site to nature and possible alternative use for woodland or community orchard should be considered and would be more beneficial for the environment and residents.

5.7 Cycle Wight has commented that the proposal appears to make no provision for cycle parking contrary to the Council's adopted Parking Guidelines SPD.

5.8 Isle of Wight Society has raised the following concerns:

- No details of what type of fuel(s) will be stored at the site.
- No details of boundary fence proposed.
- Lighting proposed appears excessively high, lighting should be conditioned to be only on during operational hours.
- No mention of security cameras.
- Safety concerns with site drainage.
- Detrimental effect on use of rest of the technology park.

5.9 Priory School has objected due to safety concerns and proximity to 3 local educational establishments, CECAMM, Queensgate Primary and Priory School. It considers there is no evidence risks to local children and young people have been addressed by the applicant.

5.10 Comments have also been received from 2 local residents who have raised the following concerns:

- Proposal not compatible with a high-quality business environment or use of the land as a technology park.

- Loss of land for other employment and educational uses.
- Prevent any future expansion of CECAMM.
- Location and safety concerns.
- Increased traffic and highway safety.
- Air pollution.
- Impact on local schools/colleges.
- Limited employment opportunities for local community.
- Existing contaminated sites should be reused.
- Light pollution and impact of this on residents and wildlife.
- Detrimental impact on conservation area.
- Loss of green spaces.
- No mitigation proposed for visual impact of development.
- Impact on existing watercourse.

## 6. **Evaluation**

### Principle

- 6.1 Policy SP1 of the CS states that the Council will support development on appropriate land within or immediately adjacent the defined settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres and will prioritise the development of previously developed land where such land is available, suitable and viable for the development proposed. It adds that, unless a specific local need is identified, development proposals outside of, or not immediately adjacent to defined settlements will not be supported.
- 6.2 Policy SP3 of the CS explains that economic growth on the Island over the plan period will be focussed on employment, retail, and high-quality tourism, with a target of creating around 7,550 jobs. Whilst this policy expects economic development will primarily be located in the Key and Smaller Regeneration Areas, it states that locally sustainable employment opportunities would be supported elsewhere, including sustainable growth in the rural economy. Policy DM8 adds that the Council will support growth in economic development, including proposals for:
1. The extension of existing employment sites in sustainable locations.
  3. The development of start-up units and premises that offer room for the expansion of existing Island companies and potential inward investors.
  5. Rural economic development opportunities that contribute to the sustainability of the wider countryside.

Paragraph 7.129 of the CS states:

The extension of existing employment sites located on the edge of existing urban areas, and which offer sustainable locations for development, will be encouraged. The extension of these sites can offer employment opportunities for the expansion of Island companies and potential investment of new companies looking to locate to the Island.

- 6.3 Although the Island Technology Park (ITP) site is located outside of a defined settlement boundary, it is adjacent and near to existing built-up areas and an existing employment site (GKN Osborne). The site was allocated for employment-related development in the IW Unitary Development Plan (UDP), the precursor to the Island Plan Core Strategy, with outline planning permission granted in 2011 for a mix of business class uses (B1/B2/B8). Subsequently the College's CECAMM site has been developed within the south-eastern corner of the ITP site, and this is directly opposite the application site. The application site, like the remainder of the ITP site is currently vacant and has not been developed, save for provision of the access road and Whippingham Road junction.
- 6.4 The proposal would see the south-western part of the site developed for a fuel storage and distribution depot, which would be a sui generis (of its own kind) use that would help meet the Island's fuel needs, including supply of road diesel, red diesel, kerosene and industrial and home heating oil for Island homes and businesses, the application being made in the wake of the closure of Isle of Wight Fuels operation at Kingston Road, East Cowes.
- 6.5 Although concerns have been raised that the proposal may not be compatible with a high-quality business/technology park environment and would offer limited employment opportunities for local people, the proposal would be an employment use of the land, only utilise part of the ITP site, would complement the mixed-employment use of the land originally envisaged and would support other Island businesses through fuel supply.
- 6.6 Given the site has previously been allocated and granted permission for mixed-use employment, it is considered that the development proposed can be supported, in principle, in accordance with the economic growth aims of policies SP3 and DM8 of the CS.

Impact on the character of the surrounding area, including setting of heritage assets

- 6.7 The development proposed would have a hard and functional appearance reflective of the industrial use proposed, but this would be

little different to the appearance of development previously accepted for other parts of the ITP site, including the CECAMM site opposite and the storage and distribution use of the north-eastern part of the technology park site, which was granted reserved matters approval in 2017. This latter approval authorised a large 8m high industrial warehouse building and extensive areas of concrete hard surfacing around this. Whilst the north-eastern area of the ITP site remains undeveloped, the existing CECAMM site also has extensive hard surfaced parking areas, with soft landscaping limited to its external perimeter. Furthermore, the plans submitted with the outline planning application in 2010 indicated the current application site to be used to provide road access and parking to service the approved industrial/business use of the land.

- 6.8 The previous outline approval envisaged 12m high industrial buildings across the ITP site and the existing CECAMM building is approximately 10m in height. The approved plans for the north-eastern part of the site showed an industrial building 8m in height. Given the fuel tank enclosure and other buildings and structures proposed for this site would not exceed 5m in height, it is considered that the proposal would in comparison be a relatively low key and modest use of the land in terms of scale and that it would fall well within the scale parameters previously considered as acceptable for the ITP site.
- 6.9 Like the CECAMM site, there would be space around the external perimeter of the application site to supplement the proposed fencing with additional soft landscaping. This would help soften the visual impact of the development, provide a setting that would complement the adjacent college site, as well as offer biodiversity enhancement. Although the submitted plans do not indicate any soft landscaping, it is recommended by officers that implementation of a soft landscaping scheme for the site be secured by planning condition(s).
- 6.10 In terms of exterior lighting, the lighting scheme details submitted show that the proposed LED floodlighting to be installed around the site perimeter and at the end of the tanks, would be shielded and orientated downwards into the site, with light spillage largely contained within the site extent, with minimal light spillage beyond. Additional soft landscaping around the site perimeter would also help to limit the extent of any light spillage beyond the external site boundaries.
- 6.11 The Council's Environmental Health Officer has commented that the submitted details demonstrate that light spill would be satisfactorily controlled, that illuminance levels drop off rapidly away from the site, with levels zero a few metres from the site boundary (it should be noted that the application site boundary is situated within the wider ITP site boundary), and therefore he has commented that although the proposed

lighting would be visible from offsite when operational, he is satisfied that it would not cause light nuisance offsite. Officers would also comment that the proposed LED lighting is very similar and would be of the same/similar height to existing LED lighting used within the access road and CECAMM site opposite.

- 6.12 Although the proposed development and its external lighting would be visible from the adjacent right of way, Whippingham Road, and across the fields from Beatrice Avenue to the south, the development (and this lighting) would be viewed in context with the adjacent college site and the GKN site to the north (and external lighting associated with these uses), and existing lighting along the A3021 (Whippingham Road). Therefore, it is considered that the proposed development and its external lighting would not have a negative effect on, but would complement the character and appearance of the surrounding area and the wider landscape and would not have a detrimental effect in terms of the protection of dark skies. Given this and that the site would be operational 24/7, it is not considered reasonable or necessary to restrict the times when the lighting could be in operation.
- 6.13 In terms of potential impacts on the setting of heritage assets to the south and west of the site, in particular the listed buildings within Whippingham Conservation Area, it is considered that due to the secluded sylvan setting of these assets, which in the vicinity of the site are principally experienced from Beatrice Avenue, as well as separation distances of these assets from the site, and taking into consideration the already accepted development of this site for industrial/business uses, the proposal would not adversely impact on the settings of these heritage assets. Although the tower and spire of St Mildred's Church is visible from across the application site, this feature is already partially obscured by existing tree planting along the southwestern ITP site boundary, and views of this building from the site are likely to further diminish as this tree planting matures. As discussed above, additional soft landscaping around the site perimeter would further reduce any visual impact of the development on the surrounding landscape and provide an additional visual buffer between the development and this listed Church.
- 6.14 With regard the Osborne Registered Historic Park and Garden to the north, this is segregated from the ITP site by Whippingham Road and the existing CECAMM site. Therefore, given this separation and the already approved industrial/business use of this land, it is considered that the proposal would not adversely impact the setting of the Osborne Registered Historic Park and Garden.

- 6.15 Having regard to the above, it is concluded that, subject to the recommended condition(s) to secure the implementation of a soft landscaping scheme, the proposal would complement the character and appearance of the wider ITP site and the surrounding area, and would not adversely impact on the settings of the Whippingham Conservation Area or listed buildings within it, or the Osborne Registered Historic Park and Garden, which would be preserved, in accordance with the aims of policies DM2 and DM11 of the CS and the NPPF and the requirements of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

#### Impacts on ecology and biodiversity

- 6.16 The 2010 outline planning application for the ITP site was supported by an Ecological Assessment which considered potential impacts to habitats and protected species, including bats, dormice and red squirrels, reptiles, and nesting birds. Protection of trees, replacement of the western boundary hedgerow, enhancement of species-poor hedgerow and reinforcement of gaps within the northern boundary tree line, as well as limiting and careful design of artificial lighting and timing of works, all comprised a series of mitigation measures recommended to ensure impacts to protected species would be avoided/mitigated.
- 6.17 The application site is currently clear of any features that may support protected species and is about 13m away from the south-western boundary and almost 20m away from the south-eastern boundary of the ITP site. There are no trees or hedgerows near the application site that would be impacted by the proposed development. The development would also not impact on the existing pond/ditch (swale) feature other than this would be utilised for surface water drainage. A planning condition has been recommended to agree final details of site drainage and this would include measures to protect water quality and prevent pollution from surface water run-off.
- 6.18 As discussed in the preceding section above, there would be scope within the site around its perimeter, particularly along its south-western boundary to undertaken new planting, including new tree planting, which would help not only to screen and soften the development visually and provide an attractive landscaped setting, but also to assist with containing light spillage and enhancement of biodiversity.
- 6.19 Given the information provided by the applicant indicates that light spillage would be contained away from the wider ITP site boundaries, coupled with additional planting as part of a landscaping scheme, it is considered that external lighting would be unlikely to adversely impact protected species.

- 6.20 Subject to recommended conditions to secure implementation of a planting scheme and that external lighting would be installed in accordance with submitted details, it is considered that the proposal would protect, conserve and enhance ecology and biodiversity interests in accordance with the aims of policies DM2 and DM12 of the CS and the NPPF.

Impacts on neighbouring properties/uses

- 6.21 The application site is located about 10m from the CECAMM site opposite to the north-east and about 38m away from the building on that site. GKN's Osborne site is 90m to the northwest. The nearest residential properties (Victoria and Albert Cottages) are located about 200m away to the south-west. There is an intervening field and trees between the site and these neighbouring residential properties.
- 6.22 In terms of working hours, the applicant has advised that these would be 24 hours a day, 7 days a week taking inbound deliveries by articulated lorries. Normal working hours for outbound deliveries by rigid fuel trucks would be between 6am and 6pm Monday to Saturday. With regard to fuel offloading, this would be delivered to the site by road tanker vehicles and delivered into the tanks using the road tankers own on-board pumping system with inbound deliveries typically being in the region of 2-3 deliveries a day. These deliveries take 30-50 minutes depending on the vehicle and speed of pumping operation. Fuel loading would be completed on site by rigid trucks using a 4-arm bottom loading skid unit and there would be 5-6 rigid trucks on site with loading operations taking around 15 minutes. Truck engines would be switched off during fuel loading. Deliveries are completed by the trained driver of the road tanker vehicles.
- 6.23 Environmental Health has advised that considering the above information provided by the applicant, and given the reasonable separation distance between the proposed development and noise sensitive (residential) properties, noise from the development may at times be noticeable but that it is unlikely to be intrusive and that significant adverse impacts on health and quality of life are unlikely. In addition, the Environmental Health Officer states that whilst there may be some loss of amenity this is unlikely to be significant and that he does not consider the principle of such a use to be something that should be refused on noise impact grounds.
- 6.24 As discussed above, in terms of light pollution, officers consider that the applicant has demonstrated that the development if carried out in accordance with the submitted details would not result in light nuisance for neighbouring properties.

- 6.25 In relation to air pollution, Environmental Health has advised that based on the applicant's information of around 22 movements per day, Monday to Saturday, the proposed use would only have a negligible impact on air quality as a result of vehicle emissions.
- 6.26 Safety concerns have been raised, particularly given the proximity of local schools, including the CECAMM facility opposite the site. Environmental Health has confirmed that the site would be regulated by the Health and Safety Executive (HSE) in terms of health and safety, in particular explosive atmospheres and dangerous substances and that the Environment Agency would regulate pollution control in terms of containment of fuels at the site. The total amount of fuel to be stored at the site would also fall below the level that would require Hazardous Substances Consent from the Local Planning Authority. Therefore, it is considered that safety concerns raised would be addressed through site operator compliance with other regulatory regimes and that it is not necessary for planning to duplicate controls that exist under other legislation. The NPPF is also clear that the responsibility for safe development rests with the developer.
- 6.27 Given the above, and having regard to the already approved industrial/business use of the ITP site, it is considered that the proposal would be unlikely to result in adverse impacts to neighbouring properties/land uses and therefore the proposal would comply with the aims of policy DM2 of the CS and the NPPF, which require proposals to have due regard to neighbouring property constraints and to maintain a high-level of amenity for all existing and future occupiers of land and buildings.

#### Highways considerations

- 6.28 The proposed fuel depot would be accessed via the Island Technology Park access road via its junction with the public highway A3021 (Whippingham Road). The ITP access road does not form part of the adopted public highway but is within the ownership of the Council. Based on information provided, employees would predominantly access the site by private motor vehicles with site operations being serviced by oil tankers circa 15.4m long and LGV tankers circa 9.4m-10.5m long. Fuel would be transported to the site via oil tankers and then subsequently distributed across the Isle of Wight via LGV tankers.
- 6.28 Island Roads has confirmed that the Whippingham Road/ITP junction is compliant with highway standards and suitable to accommodate the nature of vehicles anticipated to be associated with the proposed fuel depot use. It is also considered that vehicles travelling along the first linear north-east to south-west section of the access road could do so

with ease and negotiate parked vehicles should such a practice occur (there is currently nothing to stop vehicles being parked within the access road). However, when attempting to travel along the section of roadway that runs north to south and connects directly to the proposed fuel depot site, oil tankers would need to use both running lanes on the first corner and through to and about the site access, and if parking on this section of the roadway (from the first corner through to and about the site access) were to occur safe passage would be obstructed putting other road users and oil tanker drivers at risk of conflict/collision. This requirement for tankers to use both lanes to negotiate these two 90-degree bends to access the site has been shown on the swept path analysis provided by the applicant.

6.29 Whilst it is accepted that on the wider highway network there would be locations where encroachment would occur in respect to two-way HGV vehicle flows and that this manoeuvre is likely to be slow moving, and that the access road has been deemed suitable to service the originally approved B1/B2/B8 use of the ITP site, which would generate HGV movements along the access road, in this instance there are significant highway safety concerns due to the hazardous materials proposed to be transported to and from the site and the anticipated level of daily vehicle movements (22). Officers also note that the site access and area where tankers would have to use both lanes would be directly opposite and leading to one of the vehicle accesses to the College's CECAMM site, close to which is a student waiting area for public transport.

6.30 To address these highway safety concerns and to ensure adequate space would be kept free within the access road for tankers to manoeuvre to/from the site, it is considered necessary that parking restrictions (double yellow lines) are imposed within the vicinity of the site access and the first 90-degree bend backed by a Traffic Regulation Order (TRO). The access road is outside of the application site and not within the control or ownership of the applicant and the making and implementation of a TRO is a process outside of the scope and separate of this planning application, is subject to public consultation, and the outcome of the TRO process cannot be guaranteed. However, the imposing of such parking restrictions would be likely to benefit other users of the ITP, including those accessing/leaving the neighbouring CECAMM site, and the Council is currently the road owner. Therefore, it is considered that there is a prospect of a TRO being made and these restrictions implemented and as such use of a Grampian-style planning condition would be appropriate in this case. This condition would prohibit the proposed development proceeding until such time as a TRO has been made and parking restrictions put in place. Subject to the imposing of this Grampian condition (see condition 5 below), officers consider that the site access road would be suitable to serve the proposed fuel depot

and the traffic likely to be generated by it, and that the potential negative impacts to the highway network identified above would be sufficiently mitigated in accordance with policy SP7 of the CS.

- 6.31 In terms of traffic generation, from information provided by the applicant, it is anticipated that the site would operate 24 hours a day, 7 days a week taking inbound deliveries by articulated lorries (2/3 deliveries per day) and that normal working hours for outbound deliveries by rigid fuel trucks would be between 0600 to 1800 hours Monday to Saturday. Traffic movements at the site would be in the region of 22 movements per day, Monday to Saturday. Having regard to this, Island Roads has confirmed that the proposal would not have a negative impact on the capacity of the highway network.
- 6.32 On-site parking provision would comprise of five spaces for tanker parking, one space for tanker loading and another space for tanker offloading, nine car parking spaces for staff and visitors, including one disabled bay, and provision made for a cycle parking shelter. Island Roads has confirmed this level of on-site parking would be acceptable for the level and nature of the development proposed.
- 6.33 Having due regard to the concerns raised by third parties in respect of traffic generation and road safety, it is concluded that provided the recommended conditions are imposed to secure provision of the required access road parking restrictions prior to commencement of the development and that measures would be implemented during construction to protect the condition of the highway network (as recommended by Island Roads), the development would not negatively impact the safe use and capacity of the highway network and would promote sustainable travel options (walking and cycling) in accordance with the aims of policies SP7 and DM17 of the CS and the NPPF.

#### Drainage and water quality

- 6.34 Foul drainage from the proposed office would be directed to the public sewer and this would require the applicant/developer to obtain approval from Southern Water to connect. Capacity of this system to accommodate foul flows from the development would be a matter for Southern Water and the applicant/developer.
- 6.35 In terms of surface water, the submitted plans indicate that the area around the tanks would be contained by a 150mm concrete upstand and that surface water run-off would be directed to an existing off-site swale feature, located within the ITP boundary. An interceptor is indicated to be provided within the surface water drainage design prior to run-off

entering the swale.

- 6.36 The applicant states that the fuel tanks would be double-skinned and that the tanks would have a bund of 110% capacity of the fuel tanks. The tanks would be integrally banded so that any possible failure or leak would be contained within the banded structure. The tank area would be paved in reinforced concrete, which together with the installation of PVC water bars within any joints and the provision of the 150mm upstand would ensure no leak paths through the floor or bund. Spill kits would be provided on site and in the event of a spill, this area would be drained by pump sump, so that there would be a controlled release of fuel. The fuelling areas would be surrounded by channel drains which would ensure any leaks or spillages are intercepted and would be directed to an appropriately-sized full retention separator, so that any run-off, leaks or spills would be fully contained and treated prior to release into the drainage system.
- 6.37 The Environment Agency has raised no concerns with the proposed drainage scheme but has recommended a condition to ensure the underlying aquifer would be protected. In addition, Southern Water has recommended any surface water drainage scheme should include oil trap gullies and/or oil/petrol interceptors and has also commented that details of the future maintenance and management of any SuDS (sustainable drainage systems) should be agreed. Final details of drainage arrangements, including measures to be incorporated to protect water quality and prevent pollution can be agreed by planning condition in consultation with the Environment Agency and Southern Water.
- 6.38 Subject to the recommended drainage condition, it is considered that adequate drainage to serve the proposed use would be provided and that water quality would be protected in accordance with the aims of policy DM14 of the CS and the NPPF.

## **7. Conclusion**

- 7.1 For the above reasons, it is concluded that the proposal would comply with the provisions of the development plan, the NPPF and the requirements of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

## **8. Recommendation**

- 8.1 Conditional Permission.

## 9. **Statement of Proactive Working**

9.1 In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Local Planning Authority takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following way:

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

In this instance following provision of additional information and plans, the application, subject to the attached conditions, was considered acceptable and no further discussions were required.

### **Conditions**

1 The development hereby permitted shall be begun before the expiration of 3 years from the 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 submitted details shown on the submitted plans, numbered:

6252-803 Rev A	Site Location Plan
6252-001 Rev B	Proposed Site Layout
6252-806 Rev B	Proposed Site Sections
6252-807 Rev A	Off Loading Cabinet Details
6252-808 Rev A	Electrical GRP Switchroom Plan & Elevations
6252-810 Rev A	Additional Site Sections
6252-011 Rev A	Electric Gate Detail
6252-017 Rev A	Proposed Boundary Fence Layout & Details
6252-502 Rev A	Lighting Layout & Lux Levels Lighting Scheme in 3D
02 Revision D	Proposed Ground Floor GA

**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 Development shall not begin until details have been submitted to and approved in writing by the Local Planning Authority in respect of steps to prevent material being deposited on the highway as a result of any operations on the site in connection with the approved development. Such steps shall include the installation and use of wheel cleaning facilities for vehicles connected to the construction of the development. The agreed facilities shall be installed prior to the commencement of development and shall be retained, and the agreed steps implemented and adhered to, for the duration of the construction phase of the development. Any deposit of material from the site onto the highway shall be removed as soon as practicable by the site operator.

**Reason:** In the interests of highway safety and to prevent mud and dust from getting on the highway and to comply with policy SP7 (Travel) of the Island Plan Core Strategy.

- 4 Notwithstanding submitted plans, development shall not begin until details of the means of surface water drainage to serve the development have been submitted to and approved in writing by the Local Planning Authority. Submitted details shall include measures to protect water quality, including the underlying aquifer, and prevent pollution, calculations to demonstrate that run-off rates from the site would not exceed pre-development run-off rates (and where possible run-off rates would be reduced) and that the means of surface water disposal from the site would have capacity to accommodate flows from the development, and details of how any SuDS would be managed and maintained. The agreed means of surface water drainage shall be provided in accordance with the approved details before the use of the site hereby permitted begins. Thereafter, the agreed surface water drainage, including any SuDS, shall be managed and maintained in accordance with the agreed details.

**Reason:** To protect water quality and prevent pollution and to ensure adequate means of surface water drainage would be provided to serve the development in accordance with the aims of policy DM14 (Flood Risk) of the Island Plan Core Strategy and the National Planning Policy Framework.

- 5 Development shall not begin until a Traffic Regulation Order (TRO) made in association with The Road Traffic Regulation Act 1984 has been secured in respect of parking restrictions within the road that is 'Island Technology

Park' based on the principles, but not limited to the restrictions, as detailed on submitted drawing 6252-809 Rev A (dated 05 May 2021), to facilitate road tanker access to the site from the public highway, and the works to implement the TRO and provide the parking restrictions have been carried and completed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety and to comply with policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 6 Notwithstanding submitted plans, construction of any building hereby permitted shall not begin until details of the finished floor level of that building and of the materials and finishes to be used in the construction of the external surfaces of that building 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 the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 7 Prior to installation of the warning siren shown on drawing 6252-011A, details of the type of warning siren to be installed shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 8 The use hereby permitted shall not begin until space has been laid out within the site and drained and surfaced in accordance with drawing 6252-001 Rev B and the details approved in accordance 4 for vehicles to be parked and for vehicles to be loaded, unloaded and for vehicles to turn so that they may enter and leave the site in forward gear. This space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

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

- 9 The use hereby permitted shall not begin until cycle parking and waste storage facilities have been provided within the site in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure adequate provision for cycle parking and storage of waste within the site would be made to serve the development in accordance with the aims of policies SP8 (Waste) and DM17 (Sustainable Travel) of the Island Plan Core Strategy and the Council's Guidelines for Parking Provision as Part of New Developments and Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Documents.

- 10 Notwithstanding submitted plans, no landscaping works or use of the site hereby permitted shall not begin until details of finished site levels and a soft landscaping scheme (to include location, species, size, number/density of trees/plants) have been submitted to and approved in writing by the Local Planning Authority. All hard landscaping, including hard surfaces and boundary fencing, shall be completed in accordance with the submitted plans and finished site levels before the use is begun (where levels may differ between those shown on the submitted plans and finished site levels agreed in accordance with this condition, development shall be carried out in accordance with the latter agreed levels). All soft landscaping shall be carried out in accordance with the agreed details and completed before the end of the first planting season following commencement of the use hereby permitted.

**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.

- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following commencement of the use hereby permitted. Any trees or plants which within a period of 5 years from the completion 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.

**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.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and

re-enacting that Order with or without modification), no gates (except those expressly authorised by this permission) shall be erected within 20m of the adjacent highway.

**Reason:** In the interests of highway safety and to comply with the aims of policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no part of any boundary wall, fence or other means of enclosure, including any hedge or other vegetation, forward of the roadside boundary fence line as detailed on submitted drawing, numbered 6252-017 Rev A (dated 12 May 2021), shall at any time be permitted to be more than 1.0 metre above the level of the adjacent carriageway and resultant visibility splays shall be kept free of obstruction.

**Reason:** In the interests of highway safety and to comply with the aims of policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no external lighting shall be installed within the site (except that expressly authorised by this permission).

**Reason:** To protect the amenities of the area and the use of nearby land for wildlife in accordance with the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.