

Nature of Representation

The applicant has advised officers that whilst they are committed to working to an agreed management plan, and to varying that plan with relevant parties, the current wording of condition 5 as set out in the published report would result in a number of barriers to purchasing the property and to ensuring they could obtain grant to subsidise and achieve social rents due to the risk of the change of use ceasing. Therefore, they have requested condition 5 is changed to read as follows (please note the requested changes are shown as tracked changes):

5. The property shall only be operated in accordance with the submitted Management Plan (as revised), with the exception that the CCTV system, door entry system and access controls shall be implemented and maintained in accordance with the details approved in accordance with condition 4. Should the Management Plan need to be revised, this will be carried out in agreement between the party responsible for managing the property and the IOW Council.

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

The applicant confirms that they understand that councillors and residents want assurances over the management of the property and that reassurance is already provided through:

- Being a 'Registered Provider' of Social Housing, regulated by Government.
- Being 'contract managed' as a commissioned service provider by the Council.
- Applicant's own commitment to high quality, safe and secure service provision.
- Being signed up to the Island's referral panel chaired by the Council.
- Not wanting to do anything to negatively impact their reputation, as a local and regional provider and a member of national advisory bodies on homelessness issues.

The submitted management plan outlines how the property would be managed, how the applicant would engage with residents and councillors, and confirms how concerns could be raised once the use has begun.

The applicant has advised that as worded, condition 5, particularly the requirement for the use to cease should the management plan not be adhered to, would prevent them from being able to deliver the accommodation here.

Officer conclusion

The applicant has not provided evidence that the wording of condition 5 would prevent funding of the project, and it is not unusual for HMO uses to be subject to a condition to require the implementation of an agreed management plan. The funding and use would

only be at risk should the plan not be adhered to. As they have submitted the management plan for the agreement of the Local Planning Authority, there is no reason to presume the plan would not be comply with. Furthermore, a decision notice is a legal document and therefore the only way to change this is by way of an application, it is therefore inappropriate for a condition to allow for the requirements of the condition to be varied in a manner which would not require an application.

Whilst officers acknowledge that the management plan may need to be modified in the future (i.e. to reflect a change in service/accommodation provider), this should be done by a formal request and controlled through a further application to vary the planning condition as and when required.

It is appreciated that the wording of condition 5 does introduce a risk of the use having to cease, but only if it is established that the use was not being operated in accordance with the agreed management plan. If the plan is adhered to, then the use would be able to continue to operate.

Officers consider that condition 5 should be imposed as recommended to ensure the use would be appropriately managed and that the LPA would retain control over any proposed modifications to the management plan in the future.

No change to officer recommendation.

Ollie Boulter – Strategic Manager for Planning and Infrastructure Delivery
Sarah Wilkinson – Planning Team Leader
Stuart Van-Cuylenburg – Principal Planning Officer

Date: 21 September 2021