

**Reference Number:** P/00356/18

**Description of application:** Demolition of bungalow; proposed residential development comprising 28 dwellings, 3 blocks of flats comprising of 72 units, 1 block of assisted living accommodation comprising of 44 units, 1 staff unit and 1 guest unit (total of 146 units); associated parking; new vehicular access and landscaping

**Site Address:** Former Somerton Reservoir off Newport Road, Cowes Isle of Wight

**Applicant:** Heartwood Homes (Isle of Wight) Limited

**This application is recommended for:** Conditional permission

### **REASON FOR COMMITTEE CONSIDERATION**

The application is considered to raise marginal and difficult policy issues and therefore in accordance with the Council's Constitution has been referred to the Planning Committee for consideration.

### **MAIN CONSIDERATIONS**

- Principle and viability
- Impact on the character of the area
- Impact on neighbouring properties and uses
- Ecology
- Highway consideration
- Drainage and surface water run-off
- Other matter

#### **1. Location and Site Characteristics**

- 1.1 The site is an area of approximately 1.86 hectares located on the southern side of Newport Road, approximately 80 metres from the northern exit of Somerton Roundabout.
- 1.2 The site has the Cowes Park and Ride to the immediate west, Cowes Medical Centre to the east, residential development on the opposite side of Newport Road to the north and industrial units served off Saunders Drive to the south.
- 1.3 The area is therefore a mix of uses with buildings ranging in scale from the single storey property on site, two storey yet elevated properties on the opposite side of Newport Road and large commercial scale development to the south and south west.

- 1.4 The site itself is the former Somerton Reservoir which was in later years used as a fishing lake. As a former reservoir the site is mainly formed by a large brick and concrete basin with steep sides.
- 1.5 The application site also includes a single storey property, 204 Newport Road, which sits relatively centrally on the northern boundary of the site, immediately adjacent to the highway.

## 2 **Details of Application**

- 2.1 The application seeks full planning permission for 72 duplex apartments (2 bedroom), 28 houses (3 bedroom) and 44 assisted living units (4 x 2 bedroom and 40 x 1 bedroom). The proposals would involve the demolition of the existing bungalow at the site.
- 2.2 The proposed duplex apartments would all incorporate two bedroom accommodation and would be provided within three 'blocks' around a central courtyard to the north and south of the site. They would be four storeys in height with a glazing screen above the flat roof, to provide an atrium. The elevations would be mainly render with timber detailing and glass balustrading to upper floors and black brick the ground floor.
- 2.3 The proposed houses would incorporate three bedrooms internally and would be positioned in two blocks on site, one adjacent to the duplexes on the southern boundary and the other along the eastern boundary forming a side to the courtyard. The units would be constructed of a combination of brick, render and vertical cladding with timber balustrading. The houses would provide for three storeys of accommodation with a roof terrace being set into the roof, making the building appear four storeys in height.
- 2.4 The proposed duplex apartments and houses have been designed to incorporate central open routes at deck level, which would equate to the ground floor level of the units, covered at high level by glazed panels to form atrium spaces.
- 2.5 The proposed assisted living units would provide a combination of one and two bedrooms. The building would be an 'L' shape and be positioned to the north-western boundary of the site. The building would be a combination of three, four and five storeys and constructed of a combination of black brick, render, horizontal timber cladding and glass balustrading.
- 2.6 The flatted accommodation within the assisted living block would be supported by a gym, swimming pool, restaurant, laundry, function spaces and communal sitting areas as well as a large kitchen. The building would also accommodate a staff flat and a private hire one bedroom suite, for visitors.
- 2.7 Below the buildings would be undercroft parking and landscaping using the existing excavated void created by the reservoir basin. This area would provide parking for vehicles as well as storage for bicycles and recharge pods for electric cars. Access to the site would be via a simple bell-mouth junction, located within

the north eastern corner of the site and adjoining the southern side of Newport Road.

### 3 **Relevant History**

3.1 None relevant to this application

### 4 **Development Plan Policy**

National Planning Policy

4.1 The NPPF sets out three roles (economic, social and environmental) that should be performed by the planning system. The Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages
- moving from a net loss of bio-diversity to achieving net gains for nature
- replacing poor design with better design
- improving the conditions in which people live, work, travel and take leisure and;
- widening the choice of high quality homes

4.2 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 the development plan without delay, or where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted.

Local Planning Policy

4.3 The Island Plan Core Strategy defines the application site as being within the Cowes Settlement Boundary. The following policies are relevant to this application:

- SP1 Spatial Strategy
- SP5 Environment
- SP7 Travel
- DM2 Design Quality for New Development
- DM3 Balanced Mix of Housing
- DM4 Locally Affordable Housing
- DM5 Housing for Older People
- DM11 Historic and Built Environment
- DM12 Landscape, Seascape, Biodiversity and Geodiversity
- DM14 Flood Risk

- DM17 Sustainable Travel
- DM22 Developer Contributions

#### Supplementary Planning Documents

- 4.4 The Affordable Housing Contributions Supplementary Planning Document (SPD).
- 4.5 The Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD).
- 4.6 The Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document (SPD).
- 4.7 LPAs Position Statement on Nitrogen neutral housing development.
- 4.8 The Bird Aware Solent Strategy sets out the mitigation for impacts on the Solent Special Protection Area as a result of increased recreational pressure from certain types of residential development that are located within 5.6km of the designated Solent Special Protection Areas.

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

### Internal Consultees

- 5.1 The Council's Archaeology Officer has outlined that the development proposals include the demolition of a non-designated heritage asset recorded on the Historic Environment Record. A condition is therefore recommended to allow access for a photographic record of the building prior to its demolition.
- 5.2 The Council's Ecology Officer has recommended a condition in respect of the bat and dormouse reports, to ensure that the precautionary measures are adhered to on site. Further information is requested in respect of the impacts on the SPA.
- 5.3 The Council's Tree Officer recommends conditions should the application be approved.
- 5.4 The Council's Rights of Way Manager recommends that a contribution is taken towards enhancements to public rights of way in the vicinity of the site.
- 5.5 The Council's Drainage Engineer confirmed that as long as the principals within the submitted report are followed and matters of clarification are considered, which can be covered by condition, then the application is considered to be acceptable.

### External Consultees

- 5.6 Southern Water have removed an original objection to the scheme due to matters relating to the contract of sale [which would not be relevant to planning]. They have however subsequently removed this objection.

5.7 Island Roads on behalf of the Highway Authority have recommended conditional permission.

#### Parish/Town Council Comments

5.8 Northwood Parish Council have confirmed that they support the scheme in principle, but have raised the following concerns:

- Excessive density
- Design is out of character
- Road and parking layout is questionable
- Overbearing scale, density and mass
- Compatibility of affordable housing and sheltered housing
- If approved a highway contribution should be taken towards the Newport Road/Nodes Road junction
- 106 contributions should be taken to public transport system
- Impact of the overall number of units on social and community infrastructure

5.9 Cowes Town Council objects to the application on the following grounds:

- Density too high
- Not in keeping with the area
- Not enough parking
- Heavy impact on infrastructure in the area
- Closely located to a primary school which already has parking problems
- Drainage
- Gated complex would cause traffic delays for other road users with vehicles entering the development will have to wait for the gates to open
- Northwood garage lights already at capacity

#### Third Party Representations

5.10 Cycle Wight have objected to the application for reasons that can be summarised as:

- Proposal does not provide adequate facilities to enable a wide range of people to cycle to/walk from the development. Distance is only one factor.
- On site provision would put cyclists in close proximity to manoeuvring vehicles. Query the usability of the entrance for people cycling.
- Cycle parking is positioned between car parking spaces, question if this is adequate.
- Developers should be expected to provide changing facilities for electric assisted bikes.
- No off-site improvements to cycling or walking proposed
- Recommend that the development
  - 1). Provide a 2-way cycle track adjacent to the road, within the site boundary

- 2). Cycle crossing on Newport Road
- 3). Modifications of the link to Love Lane to a shared use.
- 4). Introduction of speed control measures

5.11 Friends of Northwood Cemetery have raised concerns on the grounds of:

- Drain crossing cemetery drains into the reservoir
- Reservoir quickly refilled after being emptied due to natural springs. Diverting would cause excess water to enter cemetery
- Capacity of existing foul system
- Impact on social infrastructure

5.12 Cowes Medical Centre have raised concerns that there is insufficient capacity at the surgery and that the entrance is too close to a sharp bend, opposite a cut through to the school and only metres from the entrance to the surgery.

5.13 Lanesend Primary School have confirmed that they support the principle but raise concern regarding the excessive density and the school would need altering/expanding to cope with the demand.

5.14 Six comments have been received from local residents. five have raised concerns and one has sought clarification. The matters raised can be summarised as follows:

- Heritage value of the property to be demolished, which is an old tollhouse built in 1846. IWC Archaeology Services should be permitted to photograph and document the building before demolition
- Overbearing scale and mass exacerbated by a rigid architectural aesthetic.
- Although use of subterranean car park is encouraging 30% of spaces are inaccessible
- Privacy distances between dwellings, especially across the atriums are inadequate.
- Maintenance of ditch fed by reservoir
- Maintenance of boundary trees
- Impact on existing pedestrian and cycle network
- Cycling and walking is considered purely in respect of distance, which is an inadequate approach
- Two barriers to cycling and walking including; Somerton Roundabout and Newport Road itself
- Junction treatment gives priority to the motor vehicle
- Overdevelopment
- Proposal would overlook and dominate existing bungalow if it was retained

## 6 **Evaluation**

### Principle and viability

- 6.1 The application site is located within the settlement boundary and is therefore considered to represent a sustainable location. This site is also considered to be previously developed land. The principle of the redevelopment of the site for residential development purposes is considered to be acceptable.
- 6.2 The reservoir itself has not been used as such for some time and when last used was as a recreational fishing lake. There is no objection to the loss of such a facility for the purpose of housing, as the fishing lake was on private land and not therefore widely open to the community as a facility.
- 6.3 Although the principle of the development is considered to be acceptable, the redevelopment of a brownfield site, especially one with the construction challenges associated with the presence of a large brick and concrete basin on site, has viability challenges.
- 6.4 Policy DM4 of the Island Plan requires developments of this nature to provide 35% of the housing on-site as affordable housing. However, the policy does outline that “to take account of changing economic circumstances, if a developer is unable to provide the required 35% affordable housing, the Council will require an open-book assessment of the development viability to demonstrate what level of affordable housing is viable for the site”. In this instance a viability assessment has been submitted and has been independently assessed on behalf of the Council. Following continued discussions and the commissioning of further information from a quantity surveyor on land values the independent expert advice is that the proposed development would not be sufficiently viable to provide fully policy compliant contributions/on-site affordable housing provision.
- 6.5 However, there continues to be some dispute between consultants as to the possible end value of the units. The council’s consultant concludes that the proposals would make some profit circa £151,000 with a provision of 20% on-site affordable housing and an off-site contribution of £150,000. However, the developer’s agent has raised concerns in respect of the market values and have therefore used a mid-point between the values used by the council’s consultants and that suggested by local agents. This approach returns a minus value of £664,543, which would equate to zero affordable housing. As negotiations with the applicant reached an impasse, it was and recognising the challenges of delivering new homes on brownfield land, officers considered it reasonable to reach an agreed compromise.
- 6.6 In light of this it has been proposed to provide 10% affordable housing provision, in acknowledged that paragraph 65 of the NPPF states that “Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:
- a) provides solely for Build to Rent homes;
  - b) provides specialist accommodation for a group of people with specific needs

(such as purpose-built accommodation for the elderly or students);  
c) is proposed to be developed by people who wish to build or commission their own homes; or  
d) is exclusively for affordable housing, an entry-level exception site or a rural exception site

- 6.7 Having regard to the fact that the development would provide some specialist accommodation and an acknowledgement that the proposed development would not viably be able to provide full provision, officers consider the proposed 10% on site affordable housing would be acceptable in this instance to facilitate delivery on this particular site. It should be noted that the viability assessment has included for the need to provide the required SPA contributions (which are non-negotiable) and off-site highway improvements, as outlined in full in the relevant section below, the proposed development would on balance be acceptable and would deliver a range of housing types in a sustainable location on a brownfield site.

#### Impact on the character of the area

- 6.8 The application site is located within an area of mixed-use development of a range of scales and designs. The site is not within a conservation area, and the area is not of particular design interest. The design and access statement submitted with the application outlines that the proposed design would have a “strong impact to grab the eye” and officers would agree with this statement. The proposed buildings would be visually prominent within the street scene and would represent a dramatic change between the current subterranean bowl. That being said, this change is not considered to be harmful.
- 6.9 The closest building to Newport Road would be approximately 9.8 metres from the road, with a proposed 1.2 metre fence being approximately 5 metres from the road, at its closest point. The space between the building and the road would be landscaped with a laid lawn and tree planting.
- 6.10 The elevations of the duplex apartments and assisted living apartments that would face onto the road have been designed with articulation in both their siting, design and the treatment of elevations to break-up and reduce the apparent mass of the development. The buildings would range from three to five storey in height, with the highest element sitting closest to the western boundary, adjacent to the park and ride, which is set at a higher level than the site.
- 6.11 The proposed buildings would be constructed on a structural deck above the base of the reservoir. Paths would also be incorporated into the decked areas to enhance pedestrian accessibility and create an internal car free space, with parking being accommodated below in deck, within the reservoir bowl. This design concept would remove a large area of car parking and storage from public view, allowing external spaces at upper levels to be used for landscaping and open space.
- 6.12 The proposed units are set out on a grid system which would follow the gridding of the deck construction, and only the separating walls between units are

structural. This would allow for the internal layouts to be totally flexible and adaptable.

- 6.13 The proposed units would incorporate energy efficient lighting, heating and water supply methods. It is proposed to focus on fabric and services improvements to reduce the demand for energy. High levels of insulation, good ventilation and low air permeability would be incorporated to further enhance the sustainability credentials of the development. In order to reduce water consumption rainwater harvesting techniques would be employed throughout the development and water efficient fittings and low water use appliances would be specified at the detailed design stage.
- 6.14 The design of the units is contemporary, but it is considered that this style can be comfortably accommodated into the area, which is very mixed and has no dominant character. The scale of the proposed development would generally be greater than those in the immediate street scene and as such the buildings would be more dominant, but it is considered by officers that the area can accommodate this increased height of development, which would optimise the development potential for the site and make the best use of a brownfield site.
- 6.15 Officers have also given due consideration to the fact that the site is not located within an area that is protected by any landscape or heritage designation.
- 6.16 The proposed development would therefore have a dramatic change to the character of the area, but officers consider on balance, that this change would not be harmful or unacceptable in the wider context of the need to deliver housing and optimise the use of a brownfield site.

#### Impact on neighbouring properties and uses

- 6.17 The closest building to the proposed development is 204 Newport Road, which the application seeks to demolish to facilitate the proposed development. It is noted that an objection letter has been received from the owner of this property outlining that the scheme would have a significant impact on the amenity of this property, if it was to be retained and that there has been no agreement for it to be demolished. Officers agree that the scheme would have an unacceptable impact on this property if it was not to be demolished. Any agreement between the applicant and the developer would be a civil matter but officers consider it would be essential that the demolition of this building took place before any development on site, to ensure that any agreement was in place and the scheme could not go ahead if it was not.
- 6.18 The residential properties on the opposite side of the road are considered to be a sufficient distance from the proposed buildings to ensure that there would not be an unacceptable impact to residential amenity.
- 6.19 The existing Medical Centre to the east, commercial development to the south and the Park and Ride to the west are separated from the site by substantial areas of landscaping, which would reduce any impact from the scale of the proposed buildings. The nature of the uses adjacent to these boundaries are such

that the proposed development would not result in any unacceptable overlooking or loss of amenity.

- 6.20 Objections have been received from Lanesend School which is located to the north of the site, on the grounds of the density of the proposed development and the school would need altering/expanding to cope with the demand. It should be noted that 44 of the proposed units would provide assisted living accommodation, which would be age restricted and would therefore not generate demand at the school. Although the other units could see an increased demand at local schools there is considered to be sufficient capacity in the local area to provide sufficient choice for primary school places.
- 6.21 Concern has also been raised by the Friends of the Cemetery, located to the north of the site, due in the main to drainage. This matter is covered in greater detail in the relevant section of the report below, but in summary officers are satisfied that adequate provision has been made for drainage to ensure that the proposed development would not result in an increase in flood risk.
- 6.22 Cowes Medical Centre have objected to the impacts on the capacity of the surgery due to the number of proposed units. Prior to the Core Strategy being adopted a number of consultation processes took place with key stakeholders to establish that the recommended number of units required over the plan period could be accommodated, which considered the required increases in capacity within social infrastructure. This was to make them aware of the proposals and to allow them to plan to meet the expected increase in demand for their services. This application is in line with the overall number.
- 6.23 Concerns have been raised by a third party in respect of living conditions for result residents, due to the proximity of the blocks to each other. Officers are satisfied that the distances are acceptable, given the nature of the design and shared spaces, which would see mutual overlooking. This nature of relationship is something any proposed occupier would be aware of and would not be unusual in a high density residential environment.
- 6.24 Officers therefore consider that the proposed development would not have an unacceptable impact on neighbouring uses or properties.

### Ecology

- 6.25 A Preliminary Ecological Appraisal and subsequent bat and dormouse survey reports (Eagle Eye Environmental Solutions, March 2018) have been submitted. The reports set out what officers consider to be sensible precautionary measures to avoid any impact to protected species, and it is considered that providing these are adhered to the application would not have any unacceptable impacts in this regard. This can be covered by condition.
- 6.26 The Ecological Appraisal focuses on any onsite impacts associated with protected species and habitats. It concludes that the woodland priority habitat onsite needs retaining and protecting, and the recommended measures set out can be secured. However, concerns have been raised regarding the number of proposed

units and this impact that this could have on the Solent Protection Area (SPA), as the site falls within 5.6km SPA zone of influence. It has been identified that the recreational disturbance to overwintering birds protected under the SPA designation generated by the proposed development requires mitigation. A financial contribution scheme has been set up to address in combination effects on a strategic scale, and an agreement can be entered to secure any contributions.

- 6.27 However, the Council's Ecology Officer has raised concerns due to the large scale of the proposed development, close to the estuary, where limited on-site greenspace is proposed. It is recognised that the development proposes a range of accommodation where associated impacts would vary. However, the Ecology Officer has suggested that an assessment into these impacts should be carried out before determination, as to whether there would be a likely significant impact to the SPA national marine area. Further to this the report demonstrates that connections to urban green infrastructure are limited and the surrounding green spaces are protected for their nature conservation value.
- 6.28 The agent has responded to these comments raising concerns that the proposed scheme would not be of a scale to warrant a deviation from the standard contribution. The Ecology Officer has further clarified that the site is located in a relatively densely populated area and surrounding green spaces are protected for their nature conservation value. The submitted ecology report demonstrates that connections to urban green infrastructure are limited for this proposal. A higher SPA levy is not being requested, but these issues need to be recognised and addressed so that the LPA can make an informed decision.
- 6.29 Following further discussion, it is accepted that, as a brownfield site, it may be challenging for these enhancements to be provided on site. As such there is the potential for the mitigation to be in the form of improved links to the existing recreational network. However, with the viability issues of the scheme it would not be possible to take a contribution towards improved links. The applicant does not control land around the site and could not therefore physically provide such enhancements. Therefore, officers have considered these concerns, the fact all public rights of way are accessible by pavement and that part of the scheme would accommodate assisted living as well as providing individual and shared green spaces and on balance consider that the additional harm would be limited, and the standard contribution would provide an appropriate level of mitigation for the likely effects.
- 6.30 It is therefore considered that on balance the application would not have an unacceptable impact on protected species or designated sites, subject to conditions and a contribution towards SPA mitigation (Bird Aware).

#### Highway Consideration

- 6.31 The application as originally submitted was evaluated by Island Roads, who recommendation for refusal in respect of the access and onsite layout. The reasons for the recommendation related to the potential impact of the proposal on the wider highway network and namely the roundabout junction to the southeast

of the site known locally as Somerton Roundabout (Three Gates Road/ Newport Road / Saunders Drive); and the level of proposed parking provision significantly exceeding the parking SPD. Further concerns were made about the on-site layout, which did not form specific reasons for refusal but were noted, as it was considered that they could have been addressed by condition, if approved.

- 6.32 In response to the concerns and as a result of ongoing liaison between the applicant, officers and Island Roads additional information was submitted. It was also confirmed that the applicant agreed to remodel the footway running across the roadside frontage of the site so that a minimum clear usable width of 1.80m is provided. The mobility scooter bays and adjacent car parking bays detailed to be provided adjacent to the western site boundary would fall within the same ownership in order to mitigate the potential of the scooter bays being blocked by parked cars. It was also verified that cyclists would use the propose onsite road network and vehicle access / junction detailed to be formed onto Newport Road at the eastern extents of the site and the raised decked area would be for pedestrian use only.
- 6.33 In light of the additional information provided in respect to the onsite highway design and safety issues it was accepted by Island Roads that a number of the matters could be covered by condition and that the concerns relating to the use of mobility scooter bays and associated parking spaces posed more of an inconvenience for site users, as opposed to providing a standalone sustainable highway reason for refusal. However, the comments in respect to Fire Appliance access still remained, and it was again recommended that officers sought the support of the Local Chief Fire Officer in respect to the onsite access arrangements.
- 6.34 In respect of this matter the Local Chief Fire Officer has provided a standard response to this nature of comment from Island Roads outlining that, if the scheme complies with building regulations, they would have no concerns. This matter would therefore be dealt with at this stage. Nonetheless, it is noted by officers that the layout plan shows a number of fire hydrants, which could remove the need for a fire engine to access the under-croft area.
- 6.35 One of the concerns raised related to the fact that the existing highway surface water system within Newport Road currently discharges into the site and there is no detail as to how this would be accommodated. Failure to accommodate this system could lead to onsite and wider highway network flooding and in turn highway safety issues. Island Roads have accepted that this matter may be covered by condition and they highlighted that while they are now satisfied that a suitable drainage solution can be provided / designed (based on the principles of Highway Surface Water Drainage Proposal – Aqua Callidus Consulting Ltd letter Ref: 1804 dated 29.07.19) to accommodate the existing highway surface water that passes through the site; all new and upgraded apparatus would need to remain the responsibility of the applicant / developer, with Local Highway Authority (LHA) being provided with a right of passage of highway surface water and access to all existing highway apparatus that falls within the confines of the site. This would be a civil matter between the developer and the LHA. Therefore, subject to the imposition to conditions and support being given by the Local Chief

Fire Officer, Island Roads deemed the onsite highways elements of the proposal and associated accessibility improvements (footway works) to be acceptable from a highway design and safety perspective.

- 6.36 It is acknowledged that subject to remodelling to provide accessibility to the proposed scooter parking, the level of provision as detailed on drawing no. 2017-001.A1001 is now reflective of the Local Authority Parking Guidelines providing for:
- 146 Private Motor Vehicle bays
  - 15 Mobility Scooter Bays
  - 40 Cycle Sheds

- 6.37 Island Roads originally returned comments raising concern that Section 5.0 of the Transport Assessment that accompanies this application has not evaluated the potential impact of the proposed development of the local and wider highway network. At the pre-application stage they identified the need of the developer to evaluate the junctions and developments listed below and to consider the impact of the proposal in the context of existing traffic and significant approved developments yet to be implemented:

#### Junctions

- Newport Road / Three Gates Road / Saunders Road Roundabout (Somerton Roundabout)
- Nodes Road / Newport Road Signalised Junction (Northwood Traffic Signals)
- Three Gates Road / Place Road priority junction

#### Developments

- Land at Place Road Cowes (86 dwellings)
- Medina Yard, Cowes (Mixed Use Development)
- Land at Somerton Roundabout, Cowes (Employment Use / Aldi food retail store)

While it was recognised that the impact of the development with all other significant committed/approved developments, would see the Three Gates Road priority junction and the Northwood Traffic Signals operating within capacity during the AM and PM peak hours, elements of both junctions would be exceeding their reserve capacity resulting in additional traffic queues on these parts of the highway network.

- 6.38 When reviewing the impact of the development on the operation of Somerton Roundabout, while it is accepted that even without the proposed development the capacity of this junction would be exceeded in both the AM and PM peaks by the year 2023, the addition of the proposed development traffic would further compound this issue (+1.1%, 23 vehicle movements in the AM peak and 23 movements in the PM peak) and thus cannot be supported by Island Roads without mitigation measures being implemented to ensure that as a minimum the proposal would retain the status-quo.

- 6.39 In response to these comments the applicant provided a supplementary note which provides for minor improvements to the southern A3020 approach (north bound) to Somerton Roundabout. It is now accepted that these works, while not addressing the overall capacity issues associated with this part of the highway network, would mitigate the impact of the proposed development traffic during the AM / PM peak, and, as a result (subject to the developer being obligated to bring forward these works prior to occupation of the proposed dwellings) Island Roads are no longer in a position to sustain a highway recommendation of refusal on the ground of impact on the wider highway network.
- 6.40 The submitted Transport Assessment has evaluated accident data held in respect to the local and wider highway network within the vicinity of the site over the five-year period of 01.01.12 – 31.12.16. This identified 13 recorded incidents. Of the 13 incidents, five were identified to occur at the Somerton Roundabout of which three involved cyclists or motor cyclists. The development proposal was originally demonstrated to have a negative impact in capacity terms on this junction bringing about an increase in vehicle flows and queue lengths during both the AM / PM peaks. However, when considering the proposed junction improvements that are now offered as part of this revised submission to mitigate the uplift in daily traffic movements, the development is no longer anticipated to bring about a negative safety impact on users of this part of the highway network.
- 6.41 Due to the time that has passed since the original submission Island Roads has undertaken its own accident data assessment (based on available data) of the local highway network covering the three-year period prior to 28.01.22. This review has highlighted a further nine recorded incidents. Of these one relates to the Mill Hill Road / Newport Road junction to the east of the site, four to Somerton Roundabout and three on Newport Road on the approaches to the roundabout but not connected to the junction and one on Saunders Drive again unconnected to the roundabout junction. On review, each of these incidents have been identified to relate to driver / pedestrian error (either failing to look, failing to stop or driver impairment). While it is acknowledged that the proposed development would bring additional pedestrian footfall and vehicle movements on these parts of the highway network, site inspection has identified there to be adequate safe crossing points (uncontrolled and signal controlled) to accommodate the anticipated uplift in pedestrian footfall and that the junctions are compliant from a visibility and forward visibility perspective.
- 6.42 The following works have been identified in order to improve the existing highway infrastructure:
- Remodelling of Somerton Roundabout based on the principles of drawings no. 5749.003 dated July 2018 and 5749.004 dated April 2019.
  - Widening of the existing public footway on the southern side of the A3020 running from the existing vehicle access serving the site in a westerly direction across the current frontage of No. 204 Newport Road, Cowes to provide a minimum usable clear footway width of 1.80m.
- 6.43 Island Roads have confirmed that, subject to the Local Chief Fire Officer

approving the proposed onsite layout from a fire appliance accessibility perspective, the proposals envisaged in this application have implications affecting the highway network and therefore subject to conditions and the delivery of the above highway improvements the application would not have an unacceptable impact on the highway safety and would therefore comply with policies DM2 (Design Quality for New Development), DM13 (Green Infrastructure), DM17 (Sustainable Travel) and SP7 (Travel) of the Core Strategy

- 6.44 The Council's Rights of Way Manger has highlighted that work has recently been undertaken to plan a cycle link from Cowes town centre to the start of the cycle track in Arctic Road and possible improvement works to the Newport to Cowes cycle track itself. Considering the scale of the development and the proximity to the start of the cycle track it is considered that a contribution should be taken to enhancements. Officers note that the scheme referenced is due to be paid for by Medina Yard, and a contribution cannot therefore be taken from this scheme. Furthermore, in order to comply with the tests any contribution would need to be based on specific works and a level of impact associated to the proposed development.
- 6.45 Public Rights of Way provided details of schemes to three paths (CS33, CS31 and CS10). However, some of these costs involved vegetation removal which officers consider to be maintenance and not enhancement and the paths were considered to be too distant from the site, where residents would be unlikely to use them to access either services, facilities or for recreational purposes. It was therefore not considered to reasonably relate to the development.
- 6.46 Furthermore, having regard to the viability issues of the site, any contribution for this purpose would be at the expense of affordable housing or highway works, which officers considered to be more of a priority.
- 6.47 Having regard to all of the above the application is considered to be acceptable on highway grounds and would comply with policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Core Strategy.

#### Drainage and surface water run-off

- 6.48 The application has been supported by a flood risk assessment and surface water drainage strategy which has outlined that it would not be possible, due to the former use of the site, to rely on infiltration and therefore it would be necessary to attenuate and discharge to a watercourse.
- 6.49 Calculations provided within the submitted assessment assess the existing and post development pre-mitigation runoff rates and volume for the proposed development. The report concludes that the redevelopment of the site would inherently reduce the rate of runoff and runoff volumes and would thus reduce the flood risk elsewhere. The surface water drainage system proposed would be designed to accommodate a required 1 in 100 year +30% climate change rainfall event. Furthermore, water butts are recommended within the submitted drainage assessment, to intercept roof water runoff. These would reduce the annual

volume of surface water discharge but would not make any material contribution to regulation of critical runoff as these tend to be full during winter months as there is minimal demand for irrigation in these months.

- 6.50 The Council's Drainage Engineer has confirmed that, subject to the above assessment being adhered to the application drainage would be acceptable.
- 6.51 The current basin also appears to take water from the highway and therefore this would also need to be considered and accommodated within the discharge rates. It is considered that this could be adequately dealt with by condition and private agreement between Island Roads and the developer/owner, having regard to the acceptability of the principles of the proposed drainage approach.
- 6.52 Concerns have been raised by third parties that the application would result in increased flooding of the adjacent cemetery. However, the submitted report demonstrates that the surface water strategy mimics the existing run-off regime and the surface water strategy therefore better the existing run-off regime. There would therefore be no adverse impact on flood flow rates outside the site.
- 6.53 As the development would result in a net increase in housing there is the potential that it would add to existing problems within the Solent as a result on nitrate enrichment, which is currently having detrimental impacts on protected habitats and bird species. Protected species of birds use mudflats within the Solent for feeding. However, research carried out by Natural England has shown that nutrients discharged by sewage treatment works into the Solent causes eutrophication of the SPA and this compromises the ecological value of the designated site. Further information and guidance on this matter is contained within the Council's Position Statement and Natural England's published guidance Advice on Achieving Nutrient Neutrality for New Development in the Solent Region. The Council's Position Statement has been ratified by Natural England and the Environment Agency.
- 6.54 To ensure that housing development would not add to existing nutrient burdens in the Solent and adversely impact on the designated SAC and SPA / Ramsar sites within it, the Position Statement explains that it must be demonstrated that either the development is nitrate neutral or that its wastewater would be treated at Southern Water's Wastewater Treatment Works (WwTWs) at Brighstone, Sandown, Shorwell or St Lawrence, all of which discharge to the English Channel and not the Solent, thus avoiding harm to Solent Marine Sites. The foul sewage from the site would enter the mains system and dispose to Sandown and therefore there would be no requirement to mitigate for nitrates.

### Other matters

#### Trees

- 6.55 There are many trees around the perimeter of the site, which are a mix of predominantly deciduous trees that form a wooded copse. Collectively they provide a verdant public amenity important to the wider area and also screen the health centre to the east of the site.

- 6.56 The majority of the build would have little or no direct impact on the trees, with the exception of the loss of 3 “C” grade trees (along the eastern boundary), 4 “U” grade trees (one to the site frontage and 3 on the eastern boundary) and a small group of tree “C” grade trees (on the northern boundary). The impact this would have on the public amenity is negligible. Whilst the impact is minor it is considered it would need to be mitigated as part of the landscaping of the site, which could be conditioned.
- 6.57 Other than the removal of the above trees the block plan shows a walkway would extend from the southern side of the reservoir under the crown spread of a “B” grade oak tree. It would be possible for these works to be undertaken without having an impact on the health of this tree, subject to sympathetic methodology, which it is considered could be conditioned, through the use of a method statement. It is therefore considered that the proposed development could be undertaken without having an unacceptable impact on trees, subject to conditions.

#### Heritage matters

- 6.58 The proposed development would result in the loss of an existing bungalow, which is considered to represent a non-designated heritage asset. This element of the application has been considered by the council’s archaeology officer who has confirmed that, subject to a photographic record of the building prior to its demolition, they would raise no objection to the demolition.

## 7 **Conclusion**

- 7.1 The proposed development would result in the redevelopment of a brownfield site for housing and would therefore be acceptable in principle, especially considering the sustainability of the location. The design and scale of the proposed units would result in a dramatic change to the character of the immediate area, but although different it is not considered that this would be harmful. There would be no unacceptable impact on neighbouring properties and impacts on trees and ecology could be suitably mitigated by contributions and appropriate conditions. The proposed development would therefore comply with relevant policies within the Island Plan.
- 7.2 It is considered that unmitigated, the proposed development could impact on highway safety but provided the detailed highway improvements are undertaken the proposed scheme would be acceptable and would also provide adequate on-site parking and storage for cycle parking and recycling and refuse, in accordance with the relevant SPD.
- 7.3 The application has abnormal build costs due to the brownfield nature of the site and the challenges of building within the existing basin and would not therefore be able to provide full affordable provision, but it is considered that the proposed 10% on site would be justified, based on the viability assessment and other required non-negotiable contributions.

7.4 As a result, it is considered that the planning application is in compliance with the strategic advice contained within the NPPF and the requirements of the Island Plan Core Strategy and other relevant local policy guidance.

## 8 **Recommendation**

- 8.1 Conditional permission subject to a Section 106 securing:
- Entering into a Section 278/38 Agreement with the Isle of Wight Council Highways Authority to bring forward the required offsite highway improvements (formation of junction / uncontrolled tactile crossing points, widening of footway adjacent to the A3020 – 204 Newport Road).
  - Entering into a Section 278 Agreement with the Isle of Wight Council Highways Authority to bring forward the required offsite highway improvements remodelling of Somerton Roundabout (Three Gates Road/ Saunders Drive / Newport Road – improvements on the southern approach arm).
  - 10% of total number of units as on-site affordable housing for reduced market sale
  - SPA mitigation contribution
  - Eligible person/occupancy restriction for proposed 44 assisted living units

## 9 **Statement of Proactive Working**

### 9.1 ARTICLE 31 - WORKING WITH THE APPLICANT

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

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

Viability information and revised plans were submitted during the course of the application that overcame the Council's concerns.

### **Conditions/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:

2017-001. PR006  
2017-001.PRAS006  
2017-001.PRAS007  
2017-001.PRDP004  
2017-001.PRDP005  
2017-001.PRHS003  
2017-001.PRHS004  
2017-001.PRAS002  
2017-001.PRAS005  
2017-001.PRAS001  
2017-001.PRAS003  
2017-001.PRAS004  
2017-001.PRDP001  
2017-001.PRDP002  
2017-001.PRHS001  
2017-001.PRHS002  
2017-001.PRDP003  
2017-001.A1001  
2017-001.A1002  
2017-001.PR002

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. No development shall take place until full details of a hard and soft landscape scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include means of enclosure, boundary treatments, hard surfacing materials, a schedule of plants, noting species, plant sizes and proposed numbers/densities, planting methodology and an implementation programme. Planting shall be carried out in accordance with the agreed details and shall be regularly maintained. Any trees or plants that die, are removed become seriously damaged or diseased within 5 years of planting are to be replaced in the following planting season with specimens of a like size or species.

**Reason:** This condition is a pre-commencement condition to ensure appropriate soft landscaping is provided for the development, in the interests of visual amenity and to comply with policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

4. No development shall take place until an Arboreal Method Statement has been submitted to and agreed in writing by the local planning authority

detailing how the potential impact to the trees will be minimised during construction works, including details of protective tree fencing to be installed for the duration of construction works and measures to minimise damage to roots. The agreed method statement must be adhered to throughout the development of the site.

**Reason:** This condition is a pre-commencement condition to prevent damage to trees during construction and to ensure that the high amenity tree(s) to be retained is adequately protected from damage to health and stability throughout the construction period in the interests of the amenity in compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

5. No development shall take place until details of the materials and finishes, 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.

6. The proposed development shall be undertaken in strict accordance with the recommendations contained within the Preliminary Ecological Appraisal and the Bat and Dormouse survey report (Eagle Eye Environment Solution, March 2018).

Reason: To ensure that the proposed development does not have any unacceptable impact on protected species or features of ecology interest in accordance with policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

7. No other development on site shall be undertaken until the existing bungalow on site has been demolished in its entirety.

Reason: The impact on this property would be entirely unacceptable if remained and therefore would otherwise be contrary to Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

8. The developer shall afford access to the staff of the County Archaeology and Historic Environment Service, to enable them to complete a photographic record of the building prior to its demolition.

Notification of the date of demolition and information as to whom the archaeological staff should contact on site should be given in writing to the address below not less than 14 days before the commencement of any works:

Isle of Wight County Archaeology and Historic Environment Service  
Westridge Centre

Brading Road  
Ryde  
Isle of Wight  
PO33 1QS

Reason: To ensure that a record is made of the non-designated heritage asset in accordance with policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy

9. No development shall take place, until a construction method statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- i) access and parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - v) wheel washing facilities;
  - vi) measures to control the emissions of noise, smoke, fumes, dust and dirt during construction
  - vii) timing of works/phasing plan
  - viii) any required temporary construction access(s)

Reason: To prevent annoyance and disturbance, during the demolition and construction phase in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and paragraph 123 of the National Planning Policy Framework.

10. No dwelling hereby approved shall be occupied until highway improvements based on the principles of drawings no. 5749.003 dated July 2018 and 5749.004 dated April 2019 have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

11. No dwelling hereby approved shall be occupied until the existing public footway running across the roadside frontage of the site (northern site boundary across the existing frontage of No. 204 Newport Road and the adjacent vehicle access) has been remodelled to provide a minimum clear usable width of 1.80m in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

12. No unit hereby permitted shall be occupied until space has been laid out within the site and drained and surfaced in accordance with details that have

been submitted to and approved by the Local Planning Authority in writing based on the layout as detailed on drawing no. 2017-001.A1001 'Highway Information' dated August 2018 for cars/bicycles and mobility scooters to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The 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 DM17 (Sustainable Transport) and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

13. No later than one month after the day on which the units hereby permitted are first occupied or the access hereby permitted is first used (as detailed on drawing no. 5749.001 Re A, over and above for construction traffic) whichever is the earlier, the existing vehicle accesses to the site from the A3020 Newport Road shall be permanently closed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

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

14. No dwelling shall be occupied until the proposed site access based on the layout as detailed on drawing no. 5749.001 Rev A dated 21.03.18 and providing for a maximum gradient of 1:20 over the first 5.0m from the junction with the public highway and a minimum gate setback of 11.0m and the associated onsite road network based on the layout as detailed on drawing no. 2017-001.A1001 'Highway Information' August 2018 allowing for private and service vehicles to circulate enter and exit in forward gear has been constructed and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority. No other vehicular access to or egress from the site shall be used at any time to serve the proposed dwellings and all other existing vehicular accesses to the site shall be stopped up in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

15. The access hereby approved (as detailed on drawing no. 5749.001 Rev A dated 21.03.18) shall not be brought into operation until the sight lines / visibility splays as detailed on drawing no. 5749.002 dated March 2018 have been provided. Nothing that may cause an obstruction to visibility when taken at a height of 1.0m above the adjacent carriageway / public highway shall at any time be placed or be permitted to remain within that visibility splay.

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

16. 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 E of Part 1 or Class A of Part 2 of Schedule 2 to that Order shall be carried out [other than that expressly authorised by this permission].

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

17. 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 Classes A to E of Part 1 of Schedule 2 to that Order shall be carried out [other than that expressly authorised by this permission].

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

18. 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 windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.

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

19. 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 windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.

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

20. Prior to the occupation of any of the units hereby approved a refuse collection strategy shall be submitted to and approved in writing by the local planning authority. The agreed details shall thereafter be adhered to on site.

Reason: In order to avoid the likelihood of bins being storage on the public highway or within the onsite road network, having an impact on the character of the area in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

21. Prior to the units hereby approved being bought into use or prior to the access first being bought into use, whichever is sooner, details of a vehicle flow and parking restriction system (signage / carriageway markings) in accordance with the principles of drawing no. 2017-001.A1001 'Highway Information'

*August 2018* shall be submitted to approved in writing by the Local Planning Authority and implemented.

Reason: This is to ensure that all private and service vehicles can circulate the site with ease and not result in any standing vehicles in the highway or highway safety issues, in accordance with policy DM2 (Design Quality of New Development) of the Island Plan Core Strategy.

22. The development hereby permitted shall not be occupied until a scheme for the drainage and disposal of surface and foul water from the development hereby permitted and the existing highway surface water drainage, which is currently accommodated on site, has been submitted to and approved in writing by the local planning authority. The details shall confirm the Wastewater Treatment Works (WWTW) that will treat drainage from the development hereby permitted.

Reason: This is a pre-commencement condition to ensure that the site would be suitably drained, to protect ground water and watercourses from pollution, to prevent adverse impacts on the Solent and Southampton Water SPA and Ramsar site, Solent and Dorset Coast SPA and the Solent Maritime SAC, and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy and the requirements of Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).