



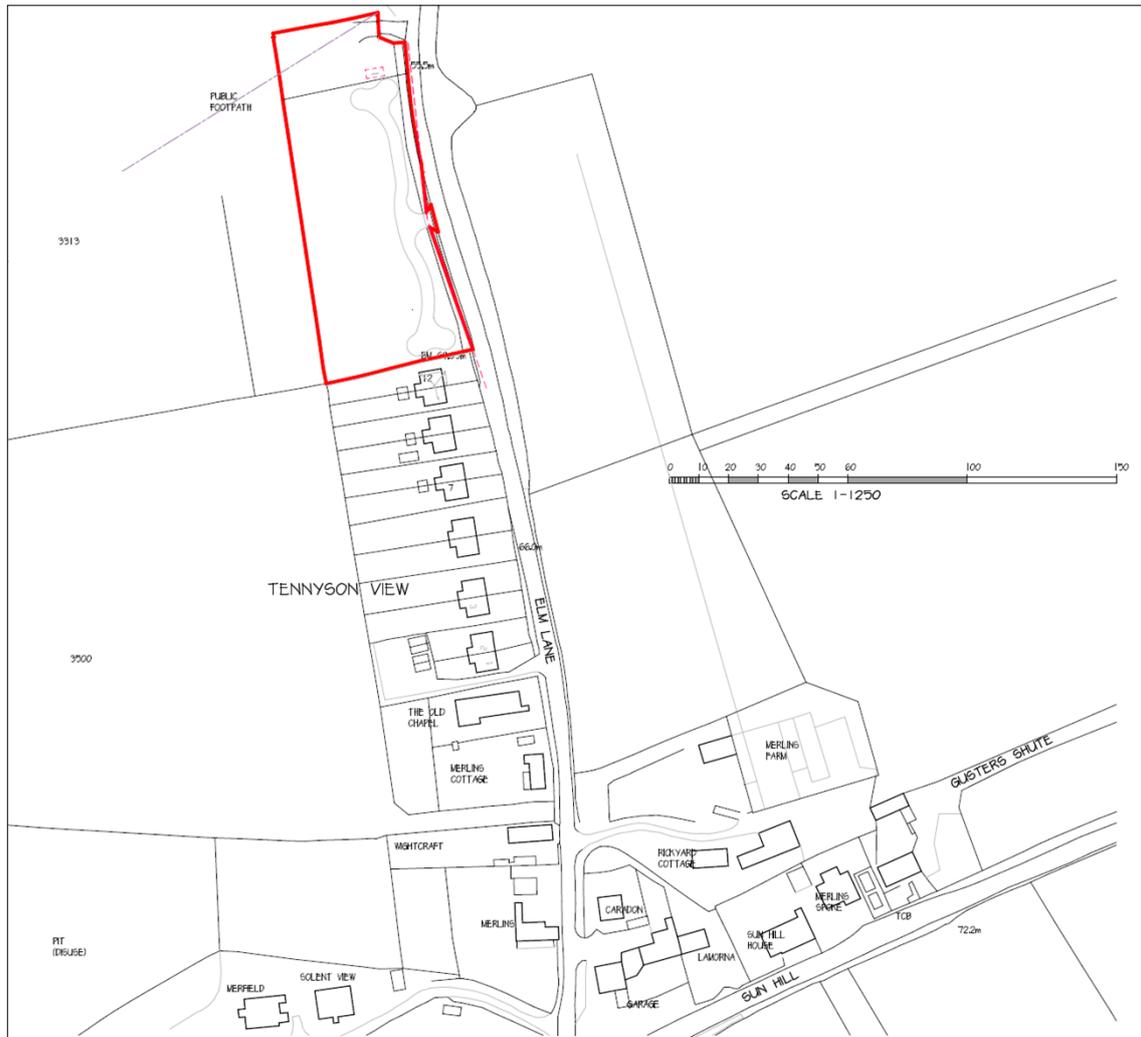
Purpose: For Decision

Planning Committee Report

Report of	STRATEGIC MANAGER FOR PLANNING AND INFRASTRUCTURE DELIVERY
Date	25 OCTOBER 2022
Application Reference	<u>20/01872/FUL</u>
Application type	Full
Application Description	Construction of 12 dwellings and formation of vehicular access off Elm Lane
Site address	Land adjacent 12 Tennyson View, Elm Lane, Calbourne
Parish	Calbourne, Newtown & Porchfield
Ward Councillor	Currently vacant
Applicant	Vectis Housing
Planning Officer	Stuart Van Cuylenburg

Reason for Planning Committee consideration	The Strategic Manager has directed the application to the Planning Committee as it is considered that the application raises marginal and difficult policy issues
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Recommendation	Refusal
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1 **Recommendation**

1.1 Refusal, due to:

- Likely adverse implications for Solent Habitats Sites – the proposal has not demonstrated how the development would be nitrate neutral
- Inadequate access visibility
- Increased traffic generation through the Elm Lane/ B3401 (Newport Road/Sun Hill) junction, which is substandard in terms of visibility
- Inadequate pedestrian connectivity
- Adverse impacts on the character and context of the area, due to the layout, design and excessive hardsurfacing of the proposed development

Full reasons are set out at the end of this report.

2 **Main considerations**

- Principle
- Impacts on Solent Habitats Sites
- Highway considerations
- Impact on the character and appearance of the area
- Mix of housing size and tenure

3 Location and Site Characteristics

- 3.1** The application site is about 0.5 hectare in area and comprises part of a larger rectangular-shaped field located to the north of existing housing on the western side of Elm Lane. The site is approximately 250m to the north of the junction of Elm Lane with the B3401 Newport Road/Sun Hill (The Middle Road).
- 3.2** The site is bounded to the north and west by agricultural land, to the south by existing housing, and to the east by Elm Lane, the boundary of which is currently defined by an existing roadside hedgerow. Within the northeast corner of the field there is an existing gated vehicular access from Elm Lane, and at this point public footpath CB12 can be accessed. This footpath crosses the larger field northeast to southwest, as well as the other agricultural land beyond this, until it terminates at the B3401 junction with The Middle/Newport Road where it branches off towards Newbridge.
- 3.3** The site is elevated around 0.5m to 1.1m from Elm Lane, which at the point of the site generally falls south to north. Topography across the site/field falls about 5-7m from the southern site boundary to the northern tree line, and there is an approximate crossfall of about 2-4.5m east to west across the site. Generally site levels fall from the highest point of the site in its southeast corner to its lowest point in its northwest corner, where there is an overall fall of about 9m.
- 3.4** Site/field boundaries are generally enclosed by existing trees/hedgerow and low post and wire fencing. A small timber stable building located at the northern end of the site, indicated on the submitted plans and referred to in submitted reports, has since been removed.

4. Details of Application

- 4.1** The application seeks full planning permission for the construction of 12 dwellings, 11 of which would meet the NPPF definition of affordable homes, and the formation of a new vehicular access from Elm Lane to serve these. The existing vehicular access to the field is shown to be retained.
- 4.2** The proposed vehicular access would be formed through the existing roadside boundary and is shown to be almost 11m wide at its junction with Elm Lane, tapering down to 6m wide 2.4m back into the site. Beyond this the internal road is 5m wide, with turning heads at its northern and southern ends.
- 4.3** The proposed plans show that the existing roadside bank and hedgerow along the eastern boundary with Elm Lane would have to be reprofiled/removed and a new hedgerow planted behind the visibility splays for the proposed site access. It is also proposed to construct a new 2.0m wide section of footway for a length of almost 43m to run between the southern site boundary and the new access.
- 4.4** The proposed housing would be arranged in a linear fashion fronting Elm Lane, set back behind the on-site access road and turning areas. Front and rear gardens would extend 8m+ in depth. On-site parking is shown to be provided by private driveways to the front/side of the dwellings at a ratio of two spaces per dwelling.

- 4.5 The proposed dwellings would be two storeys, all shown to be of a similar height to roof ridge (8.6m-8.8m) and eaves (5.6m). These houses would have a mix of gabled and hipped roofs. Submitted drawings and the application form do not indicate materials for the dwellings.
- 4.6 The plans indicate that the proposed housing would comprise of the following mix:
- 4 x 2-bedrooms (33.3 percent)
 - 7 x 3-bedrooms (58.3 percent)
 - 1 x 4-bedroom (8.3 percent)
- 4.7 It is proposed that 11 (92 percent) of the dwellings would be delivered as affordable homes to be owned and managed by the applicant. The following mix is being proposed by the applicant:
- 4 x shared ownership (36 percent)
 - 7x social rented (64 percent)

5 **Relevant History**

- 5.1 None.

6 **Development Plan Policy**

National Planning Policy

- 5.1 At the heart of the NPPF (2021) 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.
- 5.2 Paragraph 8 sets out the three overarching objectives to achieving sustainable development. These being:
- “a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution,

and mitigating and adapting to climate change, including moving to a low carbon economy.”

5.3 Paragraph 9 clarifies that “These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”

5.4 Paragraph 78 of the NPPF states that in rural areas, local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.

5.5 Rural exception sites are defined in the NPPF glossary as being:

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.

5.6 Paragraph 110 sets out that “In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

5.7 Paragraph 111 outlining that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

While paragraph 112 states that “within this context, applications should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the

scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

5.8 To achieve well designed places paragraph 130 outlines that “Planning policies and 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 as a result of good architecture, 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 (such as increased densities);
- 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.

5.9 Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) states the Council, as the Competent Authority, may only agree to the plan or project (proposed development) only after having ascertained that it will not adversely affect the integrity of a habitats site. Paragraph 182 of the NPPF reflects this legal requirement, explaining that the presumption in favour of sustainable development (set out in paragraph 11 of the NPPF) does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Local Planning Policy

5.10 The Island Plan Core Strategy identifies the application site as being within the Wider Rural Area, but outside of the AONB. The following policies are considered to be relevant to this application:

- SP1 Spatial Strategy
- SP5 Environment
- SP7 Travel
- SP9 Minerals
- 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

Neighbourhood Planning Policy

5.11 There is no neighbourhood plan in place covering this application.

Relevant Supplementary Planning Documents (SPDs) and other guidance

- 5.12**
- Guidelines for Parking Provision as Part of New Developments SPD (January 2017)
 - Guidelines for Recycling and Refuse Storage in New Developments SPD (January 2017)
 - Local Housing Needs Assessment (LHNA) 2022
 - Natural England's advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitat sites, 16 March 2022
 - Isle of Wight Council Position Statement: Nitrogen neutral housing development, April 2022
 - Solent Recreation Mitigation Strategy (Bird Aware Solent, December 2017)

6. Consultee and Third Party Comments

Internal Consultees

- 6.1** The Council's Archaeological Officer has recommended a condition to secure a programme of archaeological works during development to mitigate the effect of the development on heritage assets, and to ensure information regarding heritage assets would be preserved by record.
- 6.2** The Council's Ecology Officer agrees with the submitted ecological assessment and has advised that its recommendations are secured in full. They have also commented that landscaping should provide ecological enhancements on site.
- 6.3** Island Roads, commenting on behalf of the Local Highway Authority, has recommended refusal on highway safety grounds, raising the following concerns:
- Inadequate access visibility
 - Increased use of Elm Lane/B3401 (Newport Road/Sun Hill) junction – substandard in terms of junction visibility
 - Inadequate pedestrian connectivity
- 6.4** Public Rights of Way has objected due to lack of information of the effect the development would have on public footpath CB12. Concerns have been raised that the footpath crosses plot 12 and so any fencing of the garden would potentially obstruct the footpath in two places. If fencing is proposed, then the service has advised that a footpath diversion order would need to be made. If not,

then the service has advised future fencing would need to be prevented to ensure the rear/side of plot 12 would remain open. The service also considers that the proposed development would lead to considerable increased use of public footpaths CB10 and CB12 and therefore considers a financial contribution from the development towards public rights of way improvements in the area should be secured. A series of other recommended conditions/service requirements have also been listed within the comment.

- 6.5** The Council's Arboricultural Officer has advised no high amenity trees would be impacted but has commented that the site should be landscaped to fit in with the arboreal character of the wider area.

External Consultees

- 6.6** Southern Water have commented on the application and requested pre-commencement conditions to ensure landscaping and means of foul and surface water drainage would be approved by the Local Planning Authority (in consultation with Southern Water). Southern Water's comment does not support or object to the application.

Parish/Town Council Comments

- 6.7** Calbourne Parish Council has objected, raising the following concerns:
- Benefits of the proposed housing do not outweigh the significant harms it has identified
 - Lack of housing supply not a green light for unsustainable development on agricultural land with adverse effects decades into the future
 - Site location not sustainable – no settlement boundary for Calbourne, which is a small rural parish with very few community facilities, limited public transport options, and lack of safe or accessible pedestrian/cycle routes
 - Serious highway risks
 - Supports Rights of Way comment – submitted plans unclear in respect of public footpath, the constraints of which have not been considered
 - Submitted plans inconsistent in relation to plot 12, shown outside of red-lined site area
 - Plans should be corrected and re-consulted on before determination
 - Insufficient drainage information provided
 - Lack of bat survey/assessment
 - No detail of the type of affordable housing to be provided, requested that the Parish Council be involved in the allocation of the housing to ensure this housing would be made available first to local people in need
 - Poor quality, bland, urbanising design
 - Lack of community consultation by the applicant
- 6.8** The Parish Council has also suggested a number of conditions that should be applied to the proposal, should permission be granted. These relate to:
- Protection of roadside hedgerow
 - Landscaping

- Protection of dark skies/limit outside lighting and roof windows
- Materials to be used
- Removal of permitted development rights for future extensions

It also considers that the developer should secure and subsidise the No. 7 bus service.

- 6.9** Shalfleet Parish Council, the adjoining parish to the west, has objected as it considers the proposal would conflict with the Isle of Wight dark skies policy, being new housing in an existing dark rural area, and would be clearly visible from Newbridge. [Officer's note – the Isle of Wight Council does not have a dark skies policy. Matters relating to dark skies in the AONB are set out in the IW AONB Partnership's Management Plan, but the site is not within the AONB. There is a dark skies policy within the draft Island Planning Strategy, but officers consider this is not sufficiently progressed to enable weight to be afforded to it.]

Third Party Representations

- 6.10** A total of 37 representations have been received, objecting, and raising the following summarised comments/concerns:

- Unsustainable, overdevelopment in an inappropriate, car dependent, rural location
- Greenfield/agricultural land outside of settlement boundaries
- Loss of agricultural land
- Urban sprawl/loss of green space
- Set a precedent for building on greenfield land in the West Wight
- No (specific) local need for the development
- No exceptional circumstances/overwhelming need/lack of alternative sites to justify development
- Other more appropriate alternative sites available, including brownfield land/existing buildings closer to infrastructure
- Loss of/spoil countryside, wildlife habitats and ancient hedgerow
- Visually intrusive, high density, urbanising, ribbon development, out of character with area
- Calbourne – rural village with little infrastructure and limited bus service and no significant employment opportunities
- Island can't take any more houses
- Unlit, narrow, rural lane with no pavements
- Traffic generation and highway safety
- Poor access and visibility
- Impact on public right of way/footpath CB12
- Add to surface water run-off and flood risk
- Planning applications rejected for single dwelling locally
- Queried why one dwelling is to be an open market dwelling when social housing urgently needed
- Not balanced mix of housing
- Loss of privacy/security for neighbours
- Protection of dark skies/light pollution
- Effect on tourism
- No independent ecology report

- Heritage – Calbourne has many historic (some listed) buildings, desk-based assessment inadequate
- Environmental Impact Assessment required
- Application lacking in detail
- Contribution required from adjoining site to deliver the site for affordable housing

7. **Evaluation**

Principle

- 7.1 The application seeks consent for the construction of twelve dwellings, eleven of which are proposed to be affordable housing. The site is therefore considered to be a rural exception site. The NPPF establishes that rural exception sites are *‘small sites used for affordable housing in perpetuity where sites would not normally be used for housing’*.
- 7.2 Policy DM4 of the Core Strategy explains that the Council will seek to deliver around 1,790 affordable homes over the plan period (to 2036), and that for sites outside of Key Regeneration Areas, major development proposals (10+ dwellings) will be expected to provide 35 percent on-site affordable housing. It goes on to say that the Council will support rural exception sites that would deliver affordable housing outside of identified settlement boundaries, where a local need can be demonstrated and there is no reasonable prospect of other sites meeting the identified local need.
- 7.3 Therefore, whilst the site is located in the wider rural area the general principle of the development is considered to be acceptable, as it would deliver affordable housing. However, as set out below other matters are considered on balance to result in the proposals being unacceptable.

Impacts on Solent Habitats Sites

- 7.4 As set out within the policies section above, paragraph 182 of the NPPF sets out that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects). Natural England (NE) have raised the issue of a likely significant effect on several internationally designated sites (Special Protection Areas [SPA], Special Areas of Conservation [SAC] and Ramsar sites) due to the increase in wastewater from the new developments coming forward. The Solent has recognised problems from nitrate enrichment; high levels of nitrogen from human activity and agricultural sources in the catchment have caused excessive growth of green algae which is having a detrimental impact upon protected habitats and bird species. In regard to this every development resulting in the net gain of residential units needs to demonstrate that the site would discharge to the English Channel, or demonstrate that the scheme would be ‘nitrogen neutral’, through mitigation.
- 7.5 It is proposed to connect wastewater from the development to the public sewer. The existing public sewer within vicinity of the site discharges to the Solent Catchment via Calbourne Wastewater Treatment Works. As such there is the potential for the development to add to existing nutrient burdens in the Solent. To

avoid this, the Council's Position Statement confirms that to meet the requirements of the law the application must demonstrate how the proposed development would be nitrate neutral.

- 7.6** Sufficient information, such as a nutrient budget, to demonstrate that the proposed development would be nitrate neutral has not been provided. Without this information, adverse implications for water quality in the Solent Catchment cannot be ruled out.
- 7.7** The Council is unable to lawfully grant planning permission for the development, as it cannot conclude it would not have adverse implications for the Solent Habitats Sites, or that the scheme would result in Imperative Reasons of Overriding Public Interest (IROPI) to out-balance the effects on Solent Habitats Sites and therefore to do so would be in breach of the Habitat Regulations.
- 7.8** The site is located within the Solent SPA Buffer Zone, where new residential development is required to mitigate for potential impacts to the Solent SPA in terms of increased recreational pressure. The applicant has confirmed that they are willing to enter into a planning obligation to secure a contribution from the development towards the Solent Recreation Mitigation Strategy. This would ensure potential impacts on the SPA in terms of recreational pressure would be mitigated. However, at this time, a planning obligation has not been completed and therefore this required mitigation has not been secured. Because of this, adverse implications on the Solent SPA in terms of recreational pressure cannot be ruled out.
- 7.9** Officers conclude, that for the reasons given above, the proposal would not comply with The Conservation of Habitats and Species Regulations 2017 and on this issue would be contrary to the aims of the Framework as it cannot be concluded that the proposal will not adversely affect the integrity of the habitats site.

Highway considerations

- 7.10** As outlined above the application seeks consent for twelve dwellings, which would be accessed from a new service road running parallel to Elm Lane and forming a single priority junction with the Lane. Elm Lane is a 'C' classified road and is governed by a national speed limit at the proposed entrance to the site.
- 7.11** Island Roads has advised that the required visibility splays are 97m (north) and 95m (south) based on Design Manual for Roads and Bridges (DMRB) standards. The visibility sight line distance cannot be measured on site due to the existing vertical and horizontal environment as the field level is approximately 1.6m above the carriageway and has therefore been scaled from the provided plan and assessed by Island Roads, using their engineering judgement on site. When scaled from a point 2.4m(X) back from the edge of carriageway, central to the access and to a point offset 1.0m from the near kerb line (kerb on development side), visibility has been shown to be a maximum of 55m south and 83m north utilising the full frontage of the site. This is significantly deficient when assessed against the posted speed limit of the carriageway.

- 7.12** The submitted drawings depict splays of 43m at the access, a distance also referenced in the submitted transport assessment, but this is for a 30mph speed limit and is in reference to the Manual for Streets suite of documents and therefore is not the correct criteria for assessment at this location. This required visibility could potentially be reduced when viewing to the south as the speed limit changes to 30mph at a point 50m from the access and therefore vehicles speeds could potentially be lower than the posted speed limit. It is also noted that there is limited forward visibility between vehicles traversing along Elm Lane and any potential stationary vehicle waiting to turn into the site, circa 70m from the north looking south and 86m from the south looking north. Speed data provided by the applicant shows that the 85 percentile vehicle speeds within vicinity of the proposed access are 39mph northbound and 38.3mph southbound. Mean speeds are shown to be 32mph and 30.8mph northbound and southbound. It is officers' view that when considering the characteristics of Elm Lane, the speed limit posted outside of the site, as well as the speed data, particularly the 85 percentile speeds, provided by the applicant, and its rural setting, Elm Lane is not reflective of a residential street/village environment, but of a rural road where speeds at the point of the new access have been shown to exceed 30mph and with 85 percentile speeds of around 38/37mph (nearer 40mph). Therefore, the advice provided by Island Roads is agreed with and the proposed access would therefore be substandard in terms of visibility.
- 7.13** Further to this, it is noted that there is a level difference of circa 1.6m between the carriageway level and the top of embankment/field level, therefore any visibility splay would require significant embankment works so as not to obscure any visibility envelope and the relocation of the existing hedgerow outside of the visibility splays. It is noted that the applicant makes reference to the visibility splay to the south going over third-party land with this being the neighbouring access (12 Tennyson View) whereby it would be unlikely that the splay would be obstructed. Although it is acknowledged this would be a remote occurrence, this cannot be guaranteed, and still does not provide the required level of visibility when the correct (or MfS) criterion is used.
- 7.14** The usable width of 6.0m allows for a vehicle to be waiting at the junction to exit and still allow a vehicle to enter from Elm Lane in a safe manner. In addition, a swept path analysis undertaken by Island Roads has demonstrated that both a fire appliance and a refuse service vehicle can enter the site and turn within the turning heads at either end and proceed to exit out of the site in forward gear. However, the narrow nature of Elm Lane does not provide for the necessary space for a refuse vehicle to exit in either direction. To overcome this issue the submitted highway Technical Note outlines that a bin drop-off point can now be situated on the proposed section of footway, which Island Roads considers would be a satisfactory solution, and could be covered by condition if the application were to be approved.
- 7.15** Looking to the wider highway network the junction of Elm Lane and the B3401 Newport Road/ Sun Hill (Calbourne Cross) has been evaluated and again been found to be deficient in terms of the visibility splay. Speed Data provided within the Transport Statement has demonstrated that the 85 percentile of vehicle speeds on the Middle Road are in line with the 40mph speed limit resulting in a junction visibility 'Y' distance requirement of 101m. The visibility at the Elm Lane Junction has been found to be deficient in both directions with circa 51m east

bound and 96m westbound with the proposed development bringing about a potential increase in the number of vehicles passing through this substandard junction and in turn a highway safety risk.

- 7.16** In terms of capacity, a Sensitivity Test using PICARDY has been undertaken including for the Merlin's Farm application (for robustness and although it is noted that this has not yet been submitted) and using Trics Data. This has found that the Calbourne Cross Junction is operating well within capacity with a Ratio of Flow to Capacity (RFC) of 0.09 well below the 0.85 figure where concern would be raised. However, while this may demonstrate there to be no capacity issue, it does little to address the shortfall in junction visibility and the hazard posed by its intensification of use that would be attributable to the development proposal.
- 7.17** The traffic generation associated with this proposal is not deemed by Island Roads to have a negative impact on the capacity of the wider highway/project network. However, due to the shortfall in visibility achievable at the junction of Elm Lane with the B3401, the limited level of visibility proposed at the junction of the site access with Elm Lane and the lack of segregated pedestrian facilities within Elm Lane, the proposed uplift in daily traffic movements attributable to the site (circa 70 daily traffic movements) are considered to pose a highway safety issue. The submitted Transport Statement details that the proposal would bring about a net traffic movement increase within Elm Lane of 7.5 percent in the AM peak and 13.3 percent in the PM period. While the Transport Statement suggests that in terms of numbers this will be low (6 movements in the AM peak and 10 movements in the PM peak) this is still considered to pose a hazard to both site and other highway users due to the limitations of the local network and the site as detailed above.
- 7.18** It is noted and confirmed by Island Roads that the capacity of the junction is not deemed to be of concern but rather the substandard nature of the visibility at the junction, and they have applied a 5 percent threshold of additional movements to reach the conclusion that this would be a significant increase to a substandard junction and would therefore be unacceptable in terms of highway safety. The submitted Transport Note refers to the 5 percent threshold as arbitrary but this figure has historically been used within the planning process both nationally and locally over many years when dealing with substandard junctions, The Transport Note references the 'Institute of Environmental Management and Assessment (IEMA) as the more appropriate document, which uses a 10 percent increase when determining the scope of the environmental assessment of traffic impacts from a development.
- 7.19** The LPA have historically used best practice of 5 percent increase in traffic through a junction being significant, if it were presumed that 50 percent of the traffic generation going through this junction this would give an uplift of 4.98 percent (say 5 percent). However, it is likely that in this instance a greater percentage of the traffic generated by the development would take this junction as this is the closest junction that would take vehicular traffic to both the west and the central regions of the Island (towns of Freshwater and Newport), and therefore the impact is likely to be greater than 5 percent. The indicated 10 percent would only be achieved if 100 percent of the traffic generated from the development went this way. The likely generation of traffic onto this junction would be between 5 and 10 percent. Officers consider that it is appropriate to apply the 5 percent criteria

and the scheme would therefore result in an unacceptable increase to the substandard junction.

- 7.20** On review of the internal onsite highway layout it provides for a low speed shared surface environment to enable private motor vehicles to pass and turn and it is noted that all the parking bays are a minimum of 2.4m x 4.8m and can be safely accessed and egressed by private motor vehicles.
- 7.21** Island Roads have outlined that the information is deficient in respect of drainage, as no infiltration tests or detailed design have been undertaken. However, should the application be recommended for approval this matter could be dealt with by condition.
- 7.22** The CIHT publication 'Planning for Walking' published April 2015 identifies at paragraph 6.3 'Land use planning for pedestrians' that 'Most people will only walk if their destination is less than a mile away.' It continues to explain that 'Walking neighbourhoods are typically characterised as having a range of facilities within 10 minutes' walking distance (around 800 metres).' And that 'The power of a destination determines how far people will walk to get to it. For bus stops in residential areas, 400 metres has traditionally been regarded as a cut-off point and in town centres, 200 metres. ' On review of the accessibility of the site, it is noted that the site is located adjacent to Footpath CB12, however this is only appropriate to leisure walking as it does not provide any direct connectivity to services and its route and form of construction brings into question its usability during hours of darkness and inclement weather.
- 7.23** It is noted that there is a bus stop opposite the Sun Inn circa 350m to the south of the site which is served by an hourly service. However, to access this facility pedestrians have to walk within the live carriageway and in parts around parked vehicles, as Elm Lane is devoid of any footways posing a risk of conflict between site users and motor vehicles. Not only is Elm Lane devoid of any footways, it is also unilluminated and subject to the national speed limit on the approaches and across the roadside frontage of the site (it being accepted that between the southern site boundary and the junction with the B3401 the road is subject to a 30mph speed limit) and is used by all forms of traffic and as a diversion route. During the winter months and during the hours of darkness pedestrians are seen to be particularly vulnerable and Island Roads and officers do not agree with the statement contained within the Transport Statement that this is a safe environment for pedestrians and cyclists. In addition, there is limited footway provision at Calbourne Cross with no defined crossing facility to the bus stop on the southern side of the B3401.
- 7.24** When considering the proximity and connectivity to the local amenities and public transport links, (the 'Village' of Calbourne is limited in terms of facilities with only a Public House and a Garage, with the nearest shop located in Shalfleet and the nearest schools being at Shalfleet and Brighstone both several miles away and not within walking distance of the proposed dwellings) the proposal is seen to encourage the dependence on the private car and to deter travel by more sustainable modes of transport. This is due to it being located within a less sustainable and accessible location. As a result, it is seen to increase the potential for conflict between pedestrians and motorists due to the uplift in daily traffic movements it would bring about and the absence of any segregated

footway links within Elm Lane and between the site and the B3041 (location of local bus stops). Furthermore, the rural nature of the location brings with it an increase in agricultural vehicle movements not typically found within a residential environment and posing a further risk of conflict to pedestrians. Therefore, the proposal is considered to be contrary to the aims of policies SP7 (Travel), DM17 (Sustainable Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 7.25** Following the initial concerns being raised by Island Roads an additional Technical Note has been submitted, this references a proposed footpath link to the public right of way (FP 12) located to the north and a 2.0m wide footway on the southern side of the access, running adjacent to the carriageway from the proposed access to the limit of the southern boundary. This proposal does offer an improvement over the original submission and the concept can be supported. It is noted that this does not connect to any wider pedestrian facilities resulting in pedestrians still egressing onto the live carriageway, albeit now within the 30mph zone providing a theoretical safer option over the previous layout.
- 7.26** This site falls within Zone 2 as defined within the Guidelines for Parking Provision as Part of New Developments SPD. In accordance with the guidance set out within Table 1, a development of this nature should typically provide twenty vehicle parking spaces, twenty cycle spaces and bin storage. On evaluation, the applicant proposes to provide twenty-four vehicle spaces and exceeds the minimum requirement. However, in this instance the overprovision is not deemed to pose a highway safety concern. Due to the limitations of Elm Lane (width, lack of illumination and absence of segregated footway links) the level of proposed onsite provision is seen to be essential to minimise the risk of vehicles attributable to the site being parked on Elm Lane which would otherwise pose a hazard to both pedestrians and motorists.
- 7.27** The Council's Public Rights of Way Manager has objected to the application on the grounds of insufficient information as public footpath CB12 crosses the area of land within plot 12, but it is not clear whether this would form part of the private garden, and therefore need to be fenced off, or whether it would need to be diverted. Fencing would potentially obstruct the footpath in two places and be unacceptable. Having regard to the proposed layout the footpath could sit outside of the private amenity area and it is therefore considered that this matter could be dealt with by condition should the application be approved.
- 7.28** Rights of Way also consider that this development would lead to a considerable increase in use of public footpaths CB12 and CB10 and therefore s106 funding should be made available to improve the public rights of way in area by way of mitigation. If the application were to be approved, it could be subject to such a contribution being agreed.
- 7.29** Having regard to the concerns raised by Island Roads it is considered by officers that the application would result in an unacceptable access due to inadequate visibility and would result in the increased use of a substandard junction. These impacts are considered to be significant and are therefore given substantial weight.

Impact on the character of the area

- 7.30** Policies SP1, DM2 and DM12 of the CS require proposals to be of high-quality design, to complement and enhance the character and context of the surrounding area, and to protect, conserve and enhance the Island's landscape.
- 7.31** The proposal would continue the ribbon form of residential development along the western side of Elm Lane, albeit set back further than existing housing due to the need to accommodate the on-site access road. The set back of the housing from the highway would be greater than other housing locally and although this in isolation would not necessarily have a significant impact on the character of the area as this would mean that it would also be situated at a lower level to Elm Lane, as well as housing to the south, and this would help to reduce its visual impact, there are concerns that the proposed access road running parallel to the existing Elm Lane would result in an urbanisation of the street scene. It is considered that this would detract from the rural character of the area.
- 7.32** Although the on-site access road and parking/turning areas do appear somewhat excessive and prominent, and would result in a more urban layout, soft landscaping could help to mitigate this impact to an extent, however, the access road itself could not be landscaped and the parking areas for plots 5-7 would be seen directly through the proposed access point, where they would dominate the frontages of plots 5 and 6 and in combination with the parking area for plot 7 present a significant area of hard surfacing that would have little relief.
- 7.33** Reprofilling of the existing roadside bank and loss of the existing hedgerow across the frontage to accommodate the new site access and associated splays would also have a negative impact on the rural character of the lane, which is generally narrow and enclosed. However, this impact would be mitigated to a degree by the proposed new hedgerow planting.
- 7.34** The plans also provide for a new section of footway at the southern end of the site to provide a refuge area for waste collection. This provision has been proposed partly to address concerns with refuse vehicles not being able to exit the site (due to the limited width of Elm Lane), but also to provide some pedestrian refuge across the site frontage. It is considered that this footway provision would overly urbanise this rural lane and would be out of character with it. Whilst it would be possible to omit this footway section and replace it with a low bank/verge, which could be ensured through a landscaping condition, this would mean that any waste collection service would have to enter the site, adding to the highway safety concerns identified above.
- 7.35** In terms of building appearance, the simple hipped and gabled form of the houses would reflect buildings locally, particularly the 1930s housing. Plans indicate some subtle detailing through introduction of contrasting window headers/sills, small gabled porch hoods, and a contrasting brickwork 'diamond' feature under the front gable of plots 3 and 4.
- 7.36** The application contains no information on the proposed external building materials, with plans seemingly indicating a mix of red and yellow brick. This would not reflect materials locally, which are generally a mix of stone and red brick. However, this matter could be conditioned if the application were to be

approved. It is considered that the proposed housing would fail to take the opportunity to positively add to the quality and variety of housing locally and would not represent a sufficiently high standard of design.

- 7.37** The proposed housing would be visible in longer views across the countryside, particularly from the B3401 and Quarry Lane to the west and north. It would also be visible from the existing right of way that passes through the site CB12. However, from these public routes, the proposed housing would be viewed in relation to the existing housing along western side of Elm Lane. Given the housing would continue the ribbon form and scale of this existing housing, it is considered that views of the proposed housing from these routes and Newbridge to the west would not be harmful. Moreover, any visual impact on wider landscape could be mitigated and softened by new hedgerow/tree planting along the western site boundary. This can be secured by condition.
- 7.38** The proposal would result in loss of the extensive views across the site of the open countryside, downs, and Newbridge to the south, west and north. As a result, the proposed housing development would have an adverse impact on the openness of Elm Lane at this point. Given that Elm Lane has a narrow and enclosed character, being enclosed to the south by existing housing and to the north by roadside boundary trees/hedgerows, it is considered that this adverse impact on openness and wider views is limited to the vicinity of the site.
- 7.39** The submitted plans do not show any roof windows for the proposed housing, and therefore it is considered that whilst the proposal would extend housing along this section of Elm Lane, the development would be unlikely to have a significant impact in terms of light pollution, and no greater impact than existing housing to the south. A planning condition could be used to agree an external lighting scheme for the site to ensure any exterior lighting would be directed away from site boundaries and light spillage minimised. Furthermore, enhancement of site boundaries with new hedge and tree planting would also help to reduce the effect of any light pollution from the development on the wider rural landscape.
- 7.40** Notwithstanding that planning conditions can be used to agree external materials and to agree suitable landscaping and exterior lighting schemes, including to secure new hedge/tree planting within the site and around its boundaries, it is considered that the quality of the design finish in combination with the proposed footway provision across the site frontage, the level of hardstanding in front of the proposed houses and the increased sense of enclosure and loss of wider landscape views cross the site, the proposal would fail to complement and enhance, but would adversely impact, the character and context of the site and surrounding area, contrary to the aims of policies SP1 and DM2 of the Core Strategy. The application would therefore result in a negative impact on the character of the area and officers attribute moderate adverse weight to this element of the proposal.

Mix of housing size and tenure

- 7.41** As identified in the Principle section, this site is considered to be a rural exceptions site as 92 percent of the twelve proposed new homes would be affordable.

- 7.42** Policy DM4 of the Core Strategy sets out a target affordable housing mix of 70 percent social/affordable rented and 30 percent intermediate tenures.
- 7.43** The applicant's proposed mix is of 64 percent social rented and 36 percent shared ownership is considered to be sufficiently close to the target splits identified in DM4. Delivery of the proposed affordable housing can be secured through a Section 106 Agreement.
- 7.44** There is no local housing needs survey for Calbourne parish, however the Council's Local Housing Needs Assessment (LHNA) 2022 sets out a suggested appropriate housing mix to meet local housing needs across the Island, as shown below.

Table 75: **Suggested mix of housing by size and tenure**

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

- 7.45** The submitted information indicates that there would be a mix of 2, 3 and 4-bed dwellings, with the 4-bed dwelling being a 'lifetime home'. One 3-bed open market home is proposed as part of the land deal to secure the site, which would facilitate the delivery of affordable housing.
- 7.46** The size and tenure of the proposed dwellings in the context the suggested mix above is set out in the following table, and is broadly considered to reflect the suggested mix.

		1-bed	2-bed	3-bed	4+ bed
Affordable home ownership	LHNA suggested mix	20%	40%	30%	10%
	Proposed Mix		50% (2 units)	50% (2 units)	
Affordable housing rented	LHNA suggested mix	40%	30%	25%	5%
	Proposed Mix		29% (2 units)	57% (4 units)	14% (1 unit)

- 7.47** Having regard to the current housing delivery shortfall, lack of a 5-year land supply, that there is a notable need to deliver affordable housing across the Island, and that the proposed development would make a small but positive contribution towards meeting local affordable housing needs, it is considered that significant positive weight is given to this element of the proposal.

Evaluation of other considerations

Archaeology

- 7.48** The Council's Archaeological Officer has reviewed the submitted archaeological desk-based assessment, which concludes that the likelihood of the presence of buried archaeological remains within the site is low, although there is a slight possibility of remains relating to a previous structure, identified during the desk-based assessment of the site. As development may damage or destroy evidential and historic significance of any unknown archaeological remains, it is

recommended by officers that if permission is granted, a condition should be imposed to secure a programme of archaeological works during development. This would mitigate for potential impacts to archaeological remains and ensure any remains discovered during the works/development would be preserved by record in accordance with the aims of policy DM11 of the Core Strategy and the NPPF.

It is considered that the proposal could be undertaken to have a neutral level of impact on archaeology, neither weighing in favour or against the proposal.

On-site ecology and biodiversity impacts

7.49 The application is supported by an ecological appraisal that has assessed potential impacts of the proposed development on protected species and habitats. The appraisal concludes the site is a small agriculturally improved pasture with a lack of varied habitats within it, although the northern hedgerow is connected to the wider countryside providing cover and movement corridors for a range of protected and priority species. The proposed development would not affect the northern hedgerow, which is outside of the red-lined site area. It makes a series of recommendations, which include:

- Retention of existing boundary vegetation where possible
- Enhancement of on-site vegetation through a landscaping scheme, to include native shrub/hedgerow/tree planting
- Check and supervised clearance of roadside hedgerow by an ecologist prior to any removal
- Garden boundaries designed to allow wildlife to flow through them
- Installation of bird boxes and bat tubes
- Timing of site clearance works outside of the bird nesting season (01 March – 31 August inclusive), or ecologist supervision of such works during this period

The appraisal considers development impact would be limited mainly to the low value grassland interior of the site, as well as from creation of the access through the roadside hedge.

7.50 The Council's Ecology Officer has agreed with the applicant's ecological appraisal and has advised that its recommendations should be secured in full. Although there would be loss of the existing roadside hedgerow to accommodate the proposed access, this could be mitigated through new hedgerow planting within the site, particularly along the east roadside boundary (behind the required access sightlines), as well as along the rear western boundary with the adjacent field. This would provide opportunity to plant new native hedgerows with greater diversity, as well as softening and mitigating the visual impact of the development. Planning conditions can be used to secure this, and the other recommendations made. This would ensure on-site ecology and biodiversity would be enhanced.

7.51 Provided conditions were imposed, it is considered that the ecological and biodiversity value of the site would be enhanced, which would benefit wildlife, including protected species. This would ensure compliance with the aims of policies DM2 and DM12 of the Core Strategy, the NPPF, and the requirements of section 40 of the Natural Environment and Rural Communities Act 2006

(as amended), which places a duty on the Council when exercising its functions to have regard to the conservation of biodiversity.

It is considered that the proposal could be undertaken to have a neutral level of impact on ecology and biodiversity, and this neither weighs in favour or against the proposal.

Neighbouring amenity

- 7.52** The neighbouring residential property, 12 Tennyson View, is a 1930s two storey house that fronts Elm Lane and benefits from a rear garden of about 30m in depth. The garden boundaries of this neighbouring property, as well as other properties to the south, are defined by hedgerows and fencing. No. 12 is primarily orientated east-west, looking out over Elm Lane and the countryside to the west. It does have two ground floor, and one small upper floor, windows within its north facing side elevation that look toward and over the shared southern site boundary.
- 7.53** The proposed dwellings are shown to be about 11m to the northwest of No. 12, and 3m from its rear garden boundary. The proposed houses would be to the north of this neighbouring property, and situated at a lower level in relation to it. Submitted plans indicated that the south pair of dwellings (plots 1 and 2) would be about 2.5m (a storey) lower in eaves and roof ridge height than No. 12. Given the relationship of the proposed dwellings to No. 12 (including the reduced height, orientation, position, and oblique separation distance), it is considered that there would be no harmful loss of light/sunlight or outlook from this neighbouring property, which would continue to aspect relatively unrestricted westward over the open countryside.
- 7.54** In terms of privacy, the oblique angle and lower height of the proposed dwellings would ensure there would be no harmful intervisibility, and householders would be able to continue to maintain intervening boundary treatments (the existing hedgerow), to ensure this. The only south side facing window at upper level would serve a landing, and therefore a condition could be imposed to ensure this window was obscured, with high-level opening only. Such a condition would reflect current permitted development right restrictions for householders, and would ensure neighbouring amenity would be maintained.
- 7.55** The submitted plans show a driveway extending close to the shared southern boundary, and it is not clear from the plans whether this would allow sufficient space for the existing hedgerow to be maintained/enhanced. However, there would be space across the frontage of plot 1 to accommodate two parking spaces should this not be the case. It is therefore considered conditions could be used to agree a suitable parking arrangement for plot 1 and boundary treatment along the south site boundary with No. 12.
- 7.56** Provided conditions are imposed to secure a suitable parking arrangement and boundary treatment for plot 1, as discussed above, and to restrict upper floor windows within its south side elevation, to ensure they would be obscured with high-level openings only, it is considered that a high level of amenity for neighbouring property occupiers would be maintained in accordance with policy DM2 of the CS and the NPPF.

Officers have assessed the proposed layout of the site and are satisfied that an acceptable level amenity can be achieved for future residents.

Officers consider that the proposal could be undertaken to have a neutral level of impact on neighbouring amenity, and this neither weighs in favour or against the proposal.

Minerals safeguarding

- 7.57** The site is within, and at the edge of, a Minerals Safeguarding Area (MSA). Policy DM20 of the CS states that planning permission will not be granted for any form of development within an MSA that is incompatible with safeguarding the mineral unless it meets one or more of the exceptions criteria set out in DM20. In this case, it is considered, given the current housing delivery shortfall, lack of a 5-year housing land supply, and that the proposal would deliver on-site affordable housing, the proposal would comply with exception criteria d. in that there is an overriding need for the incompatible development. Furthermore, it is considered that the proposal would be unlikely to sterilise existing mineral deposits here any more so than the existing housing to the south, being as it is, at the edge of the MSA, the majority of which is to the east and on the opposite side of Elm Lane. The proposal would therefore not conflict with the safeguarding aims of policies SP9 and DM20 of the Core Strategy.

Officers consider that in relation to this point the proposal would have a neutral level of impact, and this neither weighs in favour or against the proposal.

Loss of agricultural land

- 7.58** The Agricultural Land Classification map for London & South East Region (produced by Natural England) indicates that this land is likely to be grade 3 agricultural land, which is considered to be of good to moderate quality. This map does not differentiate between good and moderate quality and it also does not consider the quality of the land at site level. Notwithstanding this, it is considered the proposal would result in the loss of about 0.5 hectare of grade 3 agricultural land.

Given the relatively small size of the site, this loss is attributed minimal negative weight by officers.

Drainage and flood risk

- 7.59** The site is located in an area where there is a lower probability of flooding (Flood Zone 1). The submitted Drainage Strategy (DS) explains that due to the porosity of the geology underlying the site, permeable road construction and soakaways would be suitable for disposing of surface water from the on-site access road and dwellings. For paths and driveways, surface water is proposed to be directed to private land (i.e. dwelling curtilages), or these surfaces would be of permeable construction. The DS states that permeability testing would be required to inform detailed drainage design.

- 7.60** In terms of foul drainage, as discussed above, it is proposed to connect the development to the existing public foul sewer. However, to achieve this, the DS

explains a new pumping station would be required within the northern part of the site, and that third-party land (Merlin's Farm on the eastern side of Elm Lane) would be required to facilitate this connection. Because of this, it would be necessary to use a Grampian planning condition to secure details of the final drainage scheme, as well as completion of off-site drainage works on this third-party land, prior to any other development taking place. Officers consider a Grampian condition would be appropriate in this case, as the DS explains agreement has been reached between the applicant and owner of the third party land, so there is a prospect of these works coming forward within the lifetime of a planning permission.

- 7.61** Having regard to the above, it is considered that means of surface water and foul drainage to serve the development can be agreed and secured by a pre-commencement Grampian planning condition. Such a condition would ensure the development would meet the aims of DM14 of the Core Strategy, which requires development to reduce local risk of flooding, and to maintain and improve water quality.

Officers consider that given the impact of proposal can be sufficiently mitigated in terms of drainage and flood risk issues there is a neutral level of impact, which neither weighs in favour or against the proposal.

Lack of community consultation

- 7.62** The applicant has submitted a Statement of Community Involvement (SCI) that sets out how the applicant has engaged with the local community prior to submission of the planning application. The SCI refers to pre-application advice provided by Island Roads and the Local Planning Authority (LPA), as well as residents' responses to a leaflet drop undertaken by the applicant. It sets out how the applicant has responded following the feedback provided, as well as further opportunity for the local community to comment during the planning application consultation carried out by the LPA.

- 7.63** In terms of issues raised regarding accuracy of the location plan and the red-lined site area shown on it, the location plan has now been updated with a corrected red-lined site area to ensure that it reflects all the land required to undertake the development as shown on the proposed site plan. In addition, since the original submission the applicant has made some minor revisions to the plans to correct other drawing errors, and has submitted an updated site plan to show provision being made for a new section of footway across part of the site frontage, and sections showing proposed changes to the roadside boundary. All revised and additional plans are available on the Council's website to view with the [application documents](#).

- 7.64** Whilst concerns have been raised in respect of lack of public consultation, the LPA encourages applicants to engage at an early stage with the local community regarding proposals, but cannot require them to do so. In terms of publicity and consultation on this planning application, it is considered that the LPA has met its statutory duty in this regard.

These issues are therefore not given any weight when arriving at the recommendation.

8. Planning balance and conclusions

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

Economic

8.2 The NPPF states that the economic objective is to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth. Economically, there would be some benefits in terms of increasing the resident population, that may help to sustain local facilities/services. There would also be some short-term benefits locally during construction and on-going management of the affordable housing. Loss of grade 3 agricultural land would weigh against the proposal, although this weight is minor given the very limited extent of the loss. Overall it is considered economic benefits can be afforded moderate positive weight.

Social

8.3 The NPPF states that the social objective is support strong, vibrant and healthy communities, referring to the community's health, social and cultural well-being. Socially the proposed development would make a reasonably meaningful contribution towards the delivery housing and meeting the Island's significant housing need. It would also represent a reasonably meaningful contribution to affordable housing, in the context of recent delivery of affordable housing on the Island. This element of the proposal is therefore given significant positive weight.

8.4 It would also have some benefits in terms of helping to sustain local services/facilities, including the local bus service and these benefits are afforded limited positive weight.

The highways safety issues are considered to be serious and weigh against the proposal, with officers affording the identified harm great weight in arriving at their recommendation.

Environmental

8.5 The NPPF states that the environmental objective is to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 8.6** Adverse implications for the Solent Habitats Sites in relation to nutrients cannot be ruled out, and the proposal would also fail to provide safe access or safe routes to local facilities/services. There may also be adverse implications for public rights of way, and the proposal would fail to complement and enhance, but would adversely effect, the character of the surrounding area. In addition, it would result in the loss of 0.5 hectare of good to moderate quality agricultural land. Combined, these adverse implications are attributed moderate negative weight.
- 8.7** Other issues identified above (i.e. archaeology, neighbouring amenity, minerals safeguarding, and drainage and flood risk) are considered to be neutral factors in this case, neither weighing for or against the proposal.

Conclusion

- 8.8** The Council cannot demonstrate a 5-year supply of housing land. Accordingly, paragraph 11 d) of the Framework states that where the relevant policies of the development plan are out of date (which footnote 8 states includes, for applications involving the provision of housing, where the local planning authority cannot identify a 5-year supply of housing land), planning permission should be granted unless and adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
- 8.9** The proposed development would provide a meaningful level of affordable homes, however in the opinion of officers the adverse impacts of the proposal in terms of highway safety, the impact on the character of the area and the inability to demonstrate nitrate neutrality, significantly and demonstrably outweigh the benefits when assessed against the development plan as a whole.
- 8.10** For the above reasons, as well as those more specifically set out at the end of this report, it is concluded that the social and economic benefits of the proposed development would be significantly outweighed by the adverse environmental impacts and therefore the application is recommended for refusal.

9. Statement of Proactive Working

9.1 ARTICLE 31 - WORKING WITH THE APPLICANT

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

- the applicant was provided with pre-application advice;
- the application, for the reasons set out, was not considered to be a sustainable form of development.

10. Reasons for refusal

- 1** The application has not demonstrated that the development would be nitrate neutral and mitigation for impacts to the Solent SPA in terms of increased recreational pressure has not been secured. In the absence of a nutrient budget and details of any mitigation that may be required to ensure nitrate neutrality, or a planning obligation securing a contribution from the development towards the Solent Recreation Mitigation Strategy (or any alternative mitigation), it is considered that the proposal would be likely to have adverse effects on Habitats Sites within the Solent contrary to the aims of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascapes, Biodiversity and Geodiversity) of the Island Plan Core Strategy, the National Planning Policy Framework, Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended), and the Council's Position Statement: Nitrogen Neutral Housing Development (April 2022).
- 2** The access would be unsatisfactory to serve the proposed development by reason of unacceptable visibility and would therefore be contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.
- 3** The proposed development would generate an increase in vehicular traffic passing along Elm Lane and bring about an increase in vehicle traffic passing through the junction of Elm Lane with the B3401 Newport Road/Sun Hill which is sub-standard in respect to junction visibility, to the detriment of highway safety and would add unduly to the hazards of highway users and would therefore be contrary to policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) of the Island Plan Core Strategy.
- 4** The proposal is likely to encourage private car use and deter travel by more sustainable modes of transport due to it being located within a less sustainable and accessible location and in turn increase the potential for conflict between pedestrians and motorists within Elm Lane due to the limited section of segregated pedestrian links between the site and the wider highway network and the local public transport facilities located on the B3401 at Calbourne Cross. Therefore, the proposal is considered to be contrary to the aims of policies SP7 (Travel), DM2 (Design Quality for New Development) and DM17 (Sustainable Travel) and of the Island Plan Core Strategy.
- 5** The proposal, by reason of its layout, design and excessive hardsurfacing, would fail to complement and enhance the character and context of the area, but would adversely affect it, contrary to the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.