



Minutes

Name of meeting	PLANNING COMMITTEE
Date and time	TUESDAY, 16 FEBRUARY 2010 COMMENCING AT 4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Ivan Bulwer (Chairman), Reg Barry, Roger Dixcey, Stuart Dyer, Paul Fuller, John Hobart, Richard Hollis, Julie Jones-Evans, David Knowles, Susan Scoccia, Jerry White
Also Present (non voting)	Cllrs Jonathan Bacon, George Brown, Roger Mazillius, William Wyatt-Millington
Officers Present	Jonathan Baker, Helen Miles, Bill Murphy, Phil Salmon, Alan White, Andrew White, Jerry Willis, Simon Wiggins, Sarah Wilkinson

37. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [26 January 2010](#) be confirmed.

38. [Declarations of Interest](#)

Cllr Paul Fuller declared a personal interest in Minute 39 (1) – BAE Systems Ltd, Newport Road, Cowes, as he was a member of Northwood Parish Council and knew a supporter of the application.

Cllr Julie Jones-Evans declared a personal interest in Minute 39 (6) – Walnut Cottage, High Street, Godshell, Ventnor, as she knew one of the objectors.

39. **Report of the Head of Planning Services**

(a) **Planning Applications and Related Matters**

Consideration was given to items 1 - 7 of the report of the Head of Planning Services.

RESOLVED :

THAT the applications be determined as detailed below :

The reasons for the resolutions made in accordance with Officer recommendation were given in the Planning report. Where resolutions are made contrary to Officer recommendation the reasons for doing so are contained in the minutes.

A schedule of additional representations received after the printing of the report were submitted at the beginning of the meeting and were drawn to the attention of Members when considering the application. A note is made to that effect in the minutes.

Application: [TCP/21760/X](#)

Details: BAE Systems (Defence Systems) Ltd, Newport Road, Cowes, Isle of Wight.

Full consent for retail foodstore with associated parking, landscaping and balancing pond; vehicular access from Three Gates Road; Outline consent for commercial/industrial development (B class uses) with vehicular access from Three Gates Road.

Site Visits: The site was visited by members of the Planning Committee on Friday, 12 February 2010.

Public Mr Colin Cramp (on behalf of Northwood Parish Council)

Participants: Mr Philip Scott (on behalf of the Agent)

Comment: The local member, Cllr Roger Mazillius, spoke on this item.

Decision: The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under paragraph entitled Justification for Recommendation of the report and resolved:

THAT the application be approved.

Conditions: Amendments to existing conditions in regard to the "full" element of the application:

- (1) - The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
- (21) - The use hereby permitted shall not take place outside the following times:

0800 to 2200 Monday to Friday

0800 to 2100 Saturdays

0900 to 1800 Sundays and Bank or Public Holidays

Additional Conditions:

(22) No deliveries or dispatches from the premises shall take place outside the hours of 07.30 to 22.00 Mondays to Saturdays or outside the hours of 08.00 to 22.00 on Sundays or Bank Holidays.

(23) The lighting to the car parking area of the approved retail store hereby permitted shall not be illuminated outside the hours of 0800 to 2200 Monday to Friday, 0800 to 2100 Saturdays, 0900 to 1800 Sundays and Bank or

Public Holiday.

(24) The lighting columns hereby approved shall not exceed a height of 8m above ground level and the height of the columns shall not be increased in anyway without the prior written approval of the Local Planning Authority.

(25) That a landscape management plan be submitted and agreed in writing by the Local Planning Authority prior to commencement of building works.

(Item 1)

Application:	TCP/06680/A
Details:	The Haven, Kemming Road, Whitwell, Ventnor, Isle of Wight. Demolition of conservatory, porch and garage/car port; single storey and gabled extensions to enlarge living accommodation; replacement enlarged roof to form roofspace accommodation to include dormer windows and juliet balcony; porch; detached double garage/car port.
Site Visits:	The site was visited by members of the Planning Committee on Friday, 12 February 2010.
Public Participants:	Mr Neil Geddes (Agent)
Additional Representations:	A letter had been received from the applicant's agent, which addressed a number of points within the report.
Comment:	The local member, Cllr William Wyatt-Millington, spoke on this item. Members were told that the proposed extensions and alterations to the host property would constitute an increase of 100% in the size of the property and not the 200% as had been stated within the committee report. Members further noted that the 35% figure within supplementary planning guidance was a guide and that each extension application should be considered on its own merits.
Decision:	The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under paragraph entitled Justification for Recommendation of the report and resolved: THAT the application be refused.
Reasons:	As per report (Item 2)

Application:	TCP/16676/L
Details:	Walnut Cottage, High Street, Godshell, Ventnor, Isle of Wight. Partial demolition of front boundary wall to create pedestrian access; alterations and conversion of building to create tearooms at ground floor level with flat over; external staircase with balustrading on south east elevation; wrought iron gate and

matching railings; removal of sheds.

Site Visits:

The site was visited by members of the Planning Committee on Friday, 12 February 2010.

**Public
Participants:**

Mr Stuart Dyer (Objector)

Comment:

It was noted that paragraph 5.5 of the report incorrectly stated that Godshill Parish Council had not commented on the application. It was confirmed to members that the Parish Council had submitted representations objecting to the application.

Members raised concern to the compact nature of the site in regard to the amenity space available to the residents of the proposed flat and customers of the tearooms. Members believed the hedgerow exacerbated the cramped appearance, and was not in keeping with the conservation area setting.

Decision:

The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under paragraph entitled Justification for Recommendation of the report and resolved:

THAT the application be approved.

Conditions:

Additional conditions:

- (i) No development shall take place until details of the materials to be used in the construction of the patio areas, and any other areas of hard surfacing, 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.
- (ii) No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of the positions, design, materials and type of boundary treatments to be erected. The boundary treatments shall be completed before the flat and tearooms hereby permitted are occupied. Development shall be carried out in accordance with the approved details.
- (iii) The stone front boundary wall of the site shall be retained and maintained in its entirety except for the sections approved to provide pedestrian access to the development hereby approved.
- (iv) The sections of wall to be demolished to provide pedestrian access shall be carried out finished to a satisfactory standard in accordance with a scheme that has been agreed in writing by the Local Planning Authority prior to the commencement of development, and any necessary repairs to the sections of wall to be retained shall be carried out using natural stone.

- (v) All materials, rubble and waste associated with the creation of pedestrian access through the stone wall shall be removed from the site within one month of the demolition taking place and the wall shall be returned to a satisfactory condition in accordance with a scheme submitted to and agreed in writing by the Local Planning Authority.
- (vi) The Leylandii hedgerow forming part of the highway and side (east) boundaries shall be removed in its entirety before the tearoom hereby permitted is brought into use and a replacement boundary treatment along the east boundary shall be erected in accordance with a scheme and timetable to be agreed in writing with officers.
- (vii) No additional access points be created within the stone boundary wall other than those agreed in this consent.

(Item 6)

Application:	TCP/28911/A
Details:	15 Caws Avenue, Seaview, Isle of Wight.
	Removal of dormer window on front elevation; proposed single storey gabled extension to enlarge ground floor hall and extend roofspace accommodation.
Site Visits:	The site was visited by members of the Planning Committee on Friday, 12 February 2010.
Public Participants:	Mr Paul Stack (on behalf of Applicant)
Comment:	In compliance with the Council's Constitution the local member, Cllr Reg Barry, did not vote.
Decision:	The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under paragraph entitled Justification for Recommendation of the report and resolved: THAT the application be refused.
Reasons:	As per report (Item 7)

Application:	TCP/29831/B
Details:	Shorelands, Kings Road, Bembridge, Isle of Wight.
	Demolition of garages; proposed detached garage/boat store to include dormer windows on east elevation and mezzanine floor to provide storage area within roofspace.
Site Visits:	The site was visited by members of the Planning Committee on Friday, 12 February 2010.
Public Participants:	Janet Kendall (Applicant)

Comment: The local member, Cllr Jonathan Bacon, spoke on this item.
Decision: The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under paragraph entitled Justification for Recommendation of the report and resolved:

THAT the application be approved.

Conditions: As per report
(Item 5)

Application: [TCP/28209/C](#)

Details: Land adjacent, 40, Buckland Gardens, Ryde, Isle of Wight.

Proposed detached dwelling with integral garage; vehicular access (revised scheme).

Site Visits: The site was visited by members of the Planning Committee on Friday, 12 February 2010.

Additional Representations: A letter, which had been accompanied by a series of photographs, had been submitted on behalf of local residents. The letter raised a number of questions and concerns, many of which had been clarified within the committee report.

Comment: Members raised concern that the construction of the proposed property would impact on the visual amenity of the surrounding area and in particular the oak trees contribution by its location to this amenity.

Decision: The application was refused contrary to officer recommendation.

In compliance with the Council's Constitution a named vote was taken as the decision was contrary to officer recommendation

For (5)

Cllrs Roger Dixcey, Paul Fuller, Richard Hollis, Julie Jones-Evans, Jerry White

Against (4)

Cllrs Reg Barry, Ivan Bulwer, Stuart Dyer, John Hobart

Reasons: Members believed that the proposed dwelling, by reason of its position in context of the protected oak tree, would detract from the setting which was currently created by the said tree, the spacious side garden and the backdrop of vegetation to the west.

Therefore the development as proposed would be detrimental to the amenities of the area and in consequence was contrary to policies D1 and G4 of the Unitary Development Plan.

(Item 3)

Application: [TCP/21861/C](#)

Details: 17 Quay Street, Newport, Isle of Wight.

Replacement of planning permission (P/02296/04:
TCP/21861/B: change of use from offices to residential in order
to extend the time limit for implementation.

Site Visits:	The site was visited by members of the Planning Committee on Friday, 12 February 2010.
Public Participants:	None.
Comment:	None.
Decision:	The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under paragraph entitled Justification for Recommendation of the report and resolved: THAT the application be approved.
Conditions:	As per report (Item 4)

(b) [Provision of access road to serve Residential and Employment land at Whippingham, East Cowes, Isle of Wight](#)

The Head of Planning Services stated that outline planning permission had been granted in 2007, for the provision of 550 dwellings and 9.9 hectares of industrial use on land to the west of the A3021. An accompanying Section 106 agreement had been signed which secured the delivery of a new access road linking Whippingham road and Kingston road, it was noted that this agreement had included Barratts and other relevant landowners including RWE Npower.

Members were told that work on the construction of the access road had commenced in February 2007, but that this work had ceased in early 2009, when the RWE land had been reached. Officers believed that discussions between Barratts and RWE Npower concerning the sale of RWE land to Barratts had reached an impasse, although solicitors representing RWE had since confirmed that talks were ongoing.

It was noted that completion of the access road was long overdue and that the recommendations contained within the report were a proposed sequence of actions, which would secure the completion of the road.

RESOLVED:

- (i) THAT officers formally notify both parties in writing of the intent of the Local Planning Authority to commence formal actions given the breakdown in negotiations between the two parties, and
- (ii) THAT officers are instructed to commence serving a BCN and/or to seek injunctive relief against relevant parties for non-compliance with the S106 Agreement should written confirmation not be received that a settlement will be reached with in one month of the letter, and

- (iii) THAT officers are requested to take a report to Cabinet within 3 months as suggested in paragraph 5.3 of the report, setting out the justification for the use of CPO powers and the terms upon which the powers would be used should the land sale not be agreed and confirmed within the timescale set out above.

(c) **Schedule of Planning Appeals as at 31 December 2009**

Members considered the report of the schedule of planning appeals as at 31 December 2009.

The Committee was advised that in the last quarter a total of 35 appeals had been determined of which 27.4% of the decisions had been overturned by the Inspectorate. It was noted that this was against a government target of 30% and that the level for the whole of the previous year had been 24%, which demonstrated that decisions were being made in line with policy.

Officers believed the slight increase could be attributed to the introduction of a revised process, which was more expedient when handling householder appeals and the short term unsettlement, members of the planning staff were managed through the restructure of the service.

Members noted that the Council remained on track to achieve a year end figure of below 30%.

RESOLVED:

THAT the report be noted.

CHAIRMAN