



Minutes

Name of meeting	PLANNING COMMITTEE
Date and time	TUESDAY, 22 SEPTEMBER 2009 COMMENCING AT 4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Ivan Bulwer (Chairman), George Cameron, Roger Dixcey, Stuart Dyer, Paul Fuller, John Hobart, Richard Hollis, Julie Jones-Evans, Susan Scoccia,
Also Present (non voting)	Cllrs George Brown, Rodney Downer
Officers Present	Russell Chick, Helen Miles, Bill Murphy, Trevor Pointon, Phil Salmon, Shannon Waaldijk, Andrew White, Simon Wiggins, Sarah Wilkinson
Apologies	Cllrs Adrian Whittaker, David Whittaker

13. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [25 August 2009](#) be confirmed.

14. [Declarations of Interest](#)

Councillor Paul Fuller declared a personal interest in Minute 15 (1) – West Medina Mills, Stag Lane, Newport as he knew the applicant.

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

Planning Applications and Related Matters

Consideration was given to items 1 - 3 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/10727/P](#)

Details: Construction of building for commercial use (B1/B2/B8 use classes); 150 car parking spaces, 100 cycle spaces with associated service yard; hard and soft landscaping (aorm)
West Medina Mills, Stag Lane, Newport, Isle of Wight.

Site Visits: The site was visited by members of the Planning Committee on Friday, 18 September 2009.

Public Participants: Mr Montgomery (Objector)
Mr R Sauven (Applicant)

Additional Representations: The Parish Council had sought assurances that there was a suitably robust and properly funded management plan in place and details of future management and maintenance of those areas.

The Planning Officer confirmed that the area defined as the Conservation Zone on the outline application was to be taken over by the Council and managed as part of the Dodnor Creek Nature Reserve. The outline application had been submitted with an Environmental Statement which included a section on ecology. A condition had been placed on the outline permission requiring the ecological mitigation measures within the statement to be implemented in full.

Comment: Officers drew member's attention to which objections were a material consideration for the application and those which had been considered at the outline stage, were covered by conditions of the outline or were not a material planning consideration.

In compliance with the Council's Constitution the local member, Cllr Richard Hollis, 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 approved.

Conditions: As per report but with the following amendments:

- Condition 1 – to read as follows:

The development hereby shall be begun either before the expiration of 3 years from the date of the outline

permission or 2 years from the date of this permission, whichever date is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(Item 1)

Application:	TCP/27732/N
Details:	Proposed use of chalets numbered 85 and 44 for permanent residential purposes all year round. Gurnard Pines Holiday Village, Cockleton Lane, Cowes, Isle of Wight.
Site Visits:	The site was visited by members of the Planning Committee on Friday, 18 September 2009.
Public Participants:	Mrs Bevan (Applicant) Mr R Day (On behalf of Gurnard Parish Council)
Additional Representations:	<p>A GP from Cowes Medical Centre had recently confirmed that one of the occupiers of the chalets had a medical condition. The GP stated that the gentleman coped with the support from his daughter who occupied a nearby chalet and further suggested that removal from accustomed surroundings would be detrimental to his health.</p> <p>As the issue of personal circumstances had been mentioned, Planning Officers felt that it was appropriate for Members to be made fully aware of Paragraph 93 of Circular 11/95 "The use of Conditions in Planning Permissions", which related to personal circumstances.</p> <p><i>"Unless the permission otherwise provides, planning permission runs with the land and it is seldom desirable to provide otherwise. There are occasions, however, where it is proposed exceptionally to grant permission for the use of a building or land for some purpose which would not normally be allowed at the site, simply because there are strong compassionate or other personal grounds for doing so. In such a case the permission should normally be made subject to a condition that it shall enure only for the benefit of a named person – usually the applicant This condition will scarcely ever be justified in the case of a permission for the erection of a permanent building."</i></p> <p>The Planning Officer confirmed that Mr and Mrs Bevan had resided at Chalet 44 Gurnard Pines since October 2001 and that Mr Pearson had resided within chalet 85 since May 2004. To gain immunity from enforcement action the applicants would have to provide on the balance of probability that they had occupied their chalets continuously as a permanent unit of accommodation for a period of ten years or more.</p>
Comment:	Members indicated that this was a finely balanced case owing to the personal circumstances put forward. Members asked Officers that if permission was refused could an element of

compassion be shown in regard to the serving of enforcement action.

In compliance with the Council's Constitution the local member, Cllr Paul Fuller, 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 2)

Application: [TCP/13560/E](#)

Details: Conversion of and continued use of cottages as shepherd's accommodation, (revised scheme)

Site Visits: The site was visited by members of the Planning Committee on Friday, 18 September 2009.

Public Participants: Miss J Norris (Agent)

Additional Representations: None.

Comment: It was confirmed by the Council's Building Control Manager that the building could be used for residential purposes provided structural repairs were carried out, as well as an internal load bearing structure to support the new first floor and roof.

The adjoining Member, Cllr Rodney Downer, spoke on this item on behalf of the Local Member.

Amendments: It was noted on page 32, paragraph 5.1.4 of the report it referred to the proposed access track and should include reference to footpath 73.

It was noted on page 36, paragraph 6.3.1.4 of the report it made an incorrect reference that the existing shed at Sunnyside Farm being larger and should read "smaller".

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 but with the following amendments:

- Condition 10 – to read as follows:
Within one month of the one month of the approved building being adapted to a liveable standard as agreed in writing by the Local Planning Authority in accordance with details that have been submitted prior to any
-

development taking place, the existing mobile home located to the west of the application building shall be permanently removed from the site and the area it occupied shall be restored, in accordance with a scheme to be submitted and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be retained and maintained thereafter.

Reason: In the interests of the amenities of the area and to comply with the advice contained within PPS 7 (Sustainable Development in Rural Areas) and the requirements of policy D1 (Standards of Design) of the Isle of Wight Unitary Development Plan.

(Item 3)

16. **Members' Question Time**

Cllr Julie Jones-Evans asked a question in relation to her request at the previous meeting for a copy of Newport's Conservation Management Plan. She was advised by the Head of Planning Services that this would be provided following the meeting.

CHAIRMAN