



# Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and time	<b>TUESDAY, 24 MAY 2011 COMMENCING AT 4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Richard Hollis (Chairman), Reg Barry, Stuart Dyer, Paul Fuller, John Hobart, Julie Jones-Evans, Arthur Taylor, Jerry White
Also Present (non voting)	Cllrs George Brown, Chris Welsford
Officers Present	Sarah Jones, Jean Penney, Phil Salmon, Justin Thorne, Alan White, Andrew White, Simon Wiggins, Sarah Wilkinson
Apologies	Cllrs David Knowles, Susan Scoccia

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1. **Minutes**

RESOLVED :

THAT the Minutes of the meeting held on [26 April 2011](#) be confirmed.

2. **Declarations of Interest**

Councillor Arthur Taylor declared a personal and prejudicial interest in Minute 3 (a) (2) – Former Dairy Crest site, 23 Mill Street, Newport, as a close relative lived in the area who was an objector to the application. He was not present during the discussion or voting thereon.

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

(a) **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.

<b>Application:</b>	<a href="#">TCP/21527/B</a>
<b>Details:</b>	Demolition of dwelling; construction of detached dwelling (revised scheme)(corrected plans received)(readvertised application).
	50 Howgate Road, Bembridge, Isle of Wight
<b>Site Visits:</b>	The site was visited by members of the Planning Committee on Friday, 20 May 2011.
<b>Public Participants:</b>	Margaret Wills (Objector) Andrew Hitt (Agent)
<b>Additional Representations:</b>	None
<b>Comment:</b>	Members sought clarification in regard to the proposed balcony forming part of the rear elevation to the property.
<b>Decision:</b>	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.
<b>Conditions:</b>	As per report (Item 3)

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(Councillor Arthur Taylor declared a personal and prejudicial interest in the following item and left the room)

<b>Application:</b>	<a href="#">TCP/05362/B</a>
<b>Details:</b>	Demolition of existing factory/warehouse; proposed 2/3 storey residential development comprising 3 houses and 10 flats; detached house; formation of vehicular access and parking off Old Westminster Lane (revised scheme).
	Former Dairy Crest site, 23 Mill Street, Newport, Isle of Wight
<b>Site Visits:</b>	The site was visited by members of the Planning Committee on Friday, 20 May 2011.
<b>Additional Representations:</b>	None

**Comment:** Members sought assurance that the proposed wall bordering the lawned area to the front of the terraced element formed part of the plans. Officers confirmed that the construction and maintenance of the wall was covered under conditions placed upon the application.

Officers recommended inclusion of three further conditions, two of which would protect the character of the area, the third controlling the hours of construction.

The Local Member Cllr Julie Jones-Evans spoke on this item, but in accordance with paragraph 22 of the code of practise, in the Council's Constitution, she was unable to 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:** Additional Conditions:

(20) – No development shall commence until details of the proposed porch and front doors shall be submitted to and agreed in writing with the Local Planning Authority. The agreed details shall thereafter be implemented and maintained in accordance with the agreed details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the character of the area and to accord with Policy D1 (Standards of Design) of the Isle of Wight Unitary Development Plan.

(21) - The windows to be installed in the building hereby approved shall be of a sliding sash mechanism.

Reason: In the interests of the character of the area and to accord with Policy D1 (Standards of Design) of the Isle of Wight Unitary Development Plan.

(22) - Construction works shall limited to between 08:00 and 18:00 hours Monday – Friday and between 09:00 – 14:00 hours on Saturdays and at no time on Sundays.

Reason: To prevent annoyance and disturbance, in particular sleep disturbance from noise emissions from the works and to comply with Planning Policy Statement 23: Planning and Pollution Control.

(Item 2)

<b>Application:</b>	<a href="#">TCP/22539/H</a>
<b>Details:</b>	Demolition of school and caretakers dwelling; construction of new primary school with associated hard and soft landscaping; parking; alterations to vehicular and pedestrian access.  Ventnor County Middle School, Newport Road, Ventnor, Isle of Wight
<b>Site Visits:</b>	The site was visited by members of the Planning Committee on Friday, 20 May 2011.
<b>Additional Representations:</b>	It had been identified by the Council's Senior Ecologist that a badger sett was present underneath one of the mobile classrooms to be removed.  It had been confirmed that the relocation of the sett could be controlled and managed through obtaining a licence from Natural England.
<b>Comment:</b>	Members noted that no letters of objection had been received from local residents and the concerns of Sport England had been overcome.  Cllr Julie Jones-Evans read a statement on behalf of the local member Cllr Susan Scoccia as she was unable to be present and had a personal and possible prejudicial interest in this item.
<b>Decision:</b>	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.
<b>Conditions:</b>	Additional Condition:  (25) – Prior to the demolition or removal of any building, the presence of badger activity on site should be assessed by the licensed badger surveyor and, if necessary, the works should proceed under a Natural England badger licence.  Reason: To comply with the provisions of the Protection of Badgers Act 1992.  (Item 1)

(b) [End of Year report \(Year 10/11\) on the outcome of Planning Appeals.](#)

Members considered the report demonstrating the total year outcome of Planning Appeals 2010/11.

The Committee noted that 118 appeals had been lodged during 2010/11 compared with 131 in the previous year. In respect of the Government target of 30% for appeals allowed by the Planning Inspectorate (PINS), it was

highlighted that the authority had ended the period slightly above target at 36%.

It was stated that this had been analysed by officers and related to Planning Inspectors assessing in detail reasons for refusal being backed by specific policy based evidence.

RESOLVED :

THAT the report be noted.

4. **Members' Question Time**

Cllr Arthur Taylor asked a question in relation to the maintenance of the display equipment in the Council Chamber. The Chairman agreed to raise the issue with officers.

Cllr Julie Jones-Evans asked a question regarding action when conditions had been breached. The Deputy Head of Planning provided a response.

Cllr Paul Fuller sought clarification on progress against current enforcement action, asking if a list was available on a ward by ward basis. In response it was stated that a public list was not maintained, although it may be possible to supply members with a diluted copy of the internal list maintained by officers used to monitor progress.

(c) **E/06614/T – St Josephs, 29 Madeira Road, Ventnor, Isle of Wight.**

The site was visited by members of the Planning Committee on Friday, 20 May 2011.

The Local Member, Cllr Chris Welsford, spoke on this item and declared a personal interest, as he knew the objectors in the neighbouring property.

Members noted that initial consent had been granted for the development in May 2006, with a further report being taken to the Planning Committee in November 2008 outlining a number of amendments requested by the applicant.

Members of the 2008 committee considered that the cumulative impact of the amendments were unacceptable and instructed officers to commence enforcement action.

It was highlighted that a number of the windows had not been built to plan and a retaining wall had been constructed 2.7 metres further south than agreed. Officers further stated that an unauthorised patio area had been constructed; although this had since been landscaped to prevent further use and an unauthorised domestic shed had been placed in the courtyard area of flat 2.

Taking into account the outcomes of a number of Planning Appeals in relation to other elements of the development, it was officer's view that the amendments did not create a substantial impact on the surroundings including the conservation area. Additionally, they were of the view that the alterations to

the fenestrations did not demonstrate a detrimental impact to neighbouring properties.

The Committee enquired as to whom would be responsible for correcting any of the amendments should enforcement be pursued. They furthermore questioned the cumulative impact of the building as built on the Ventnor Conservation Area.

Members balanced pursuing enforcement action against the perceived impact of the amendments to the agreed plans on the surrounding area, street scene and the neighbouring properties. Members concluded that to continue with enforcement would neither be proportionate or appropriate when considering the facts of the case.

RESOLVED:

To note the concerns of objectors with regards to the breaches of planning control at St Josephs but to give material weight to the advice contained within PPG 18 Enforcing Planning Control and the adopted local Enforcement Policy regarding the expediency of pursuing formal enforcement action and to take no further action in respect of all outstanding breaches of planning control (option 1) which comply with UDP Policies D1 Standards of Design and G4 general Locational Criteria for Development.

CHAIRMAN