



Minutes

Name of meeting	PLANNING COMMITTEE
Date and time	TUESDAY, 25 NOVEMBER 2008 COMMENCING AT 4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Ivan Bulwer (Chairman), Henry Adams, Wendy Arnold, William Burt, George Cameron, Charles Chapman, Mike Cunningham, John Hobart, Gill Kennett, Muriel Miller, Lady Pigot, Susan Scoccia, (3 Vacancies)
Also Present (Non voting)	Cllrs Barry Abraham, Lora Peacey-Wilcox, Alan Wells (deputising for Cllr Brown)
Officers Present	Steve Cornwell, Keith Joliffe, Julie Martin, Helen Miles, Bill Murphy, Andrew Pegram, Phil Salmon, Simon Wiggins
Apologies	George Brown

34. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [28 October 2008](#) be confirmed.

35. [Declarations of Interest](#)

Cllr Ivan Bulwer declared a personal interest in minute 32 (a) 1 - Wootton Bridge Recreation Ground, Footways, Wootton Bridge – as he knew one of the supporters.

Cllr Lady Pigot declared a personal and prejudicial interest in minute 32 (a) 3 - Old Fort Cottage, Esplanade, Seaview - as the applicant was a member of a fund raising committee of which Cllr Lady Pigot was Chairman. She was not present during the discussion and voting thereon.

Cllr Alan Wells declared a personal and prejudicial interest in minute 32 (a) 3 - Old Fort Cottage, Esplanade, Seaview – as the applicant was his brother in laws partner.

Cllr Muriel Miller declared a personal interest in minute 32 (a) 4 - 27 Beachfield Road, Bembridge – as she knew one of the objectors.

Cllr Lady Pigot declared a personal interest in minute 32 (a) 4 - 27 Beachfield Road, Bembridge – as she knew one of the objectors

Cllr Muriel Miller declared a personal and prejudicial interest in minute 32 (a) 6 - W J Nigh and Sons Ltd, 62 Landguard Road, Shanklin – as she had discussed the application with the applicant. She was not present during the discussion and voting thereon.

Cllr Henry Adams declared a personal and prejudicial interest in minute 32 (a) 6 – W J Nigh and Sons Ltd, 62 Landguard Road, Shanklin – as he was a friend of the applicant. He was not present during the discussion and voting thereon.

Cllr Wendy Arnold declared a personal interest in minute 32 (a) 6 W J Nigh and Sons Ltd, 62 Landguard Road, Shanklin – as her husband had worked as an employee of the council while the applicant was in position.

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

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

Consideration was given to items 1 - 6 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/12917/S](#)

Details: Demolition of pavilion and removal of portacabin to rear of 36 - 42 Palmers Road: Outline for 2 storey building to form sports and fitness centre; vehicular and pedestrian access (revised plan) (revised scheme)

Wootton Bridge Recreation Ground, Footways, Wootton Bridge, Ryde, Isle of Wight

Site Visits: The site was visited by members of the Planning Committee on Friday, 21 November 2008.

**Public
Participants:**

Mr Peter Foister (Supporter)

**Additional
Representations:**

Southern Water comment that there is inadequate capacity within the local system to service additional flows from the proposed development. However, it is anticipated that there is a technical solution to this problem and Southern Water recommend an informative and conditions should outline consent be granted.

One letter received from the occupier of a Palmers Road property expressing concern that the proposed balcony/viewing gallery would overlook Palmers Road properties and therefore remove the privacy from these houses. Concern is also expressed regarding the level of noise, particularly as the proposed building may become licensed premises. It is suggested by the objector that the building is either revised so that it is single storey only, or alternatively removed from direct view by additional planting.

Comment:

The Local Member, Cllr Barry Abraham, 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 conditional permission be granted.

Advice note to be sent to the applicant advising that careful consideration needs to be given to the number and positioning of windows on the rear of the building which may cause overlooking to the school playing field.

Conditions and/or informative to be added to decision notice to address comments of Southern Water.

Conditions:

Conditions to be amended as follows :

Condition 4 to have the word 'not' inserted between 'shall' and 'occupied'.

Condition 7 should be amended to include:

That lighting only to be used when building was in use

Additional condition as follows:

Details to be submitted with AORM of the capacity within the drainage system, showing the means of the foul and surface water drainage, including calculations and capacity studies for existing systems.

As per report (Item 1)

Application:	TCP/06614/S
Details:	Retention of units 11 and 12 as built; retention of alterations to roof parapet and opaque glass screening to roof terrace of unit 4 St Josephs, 29 Madeira Road, Ventnor, Isle of Wight
Site Visits:	The site was visited by members of the Planning Committee on Friday, 21 November 2008.
Public Participants:	Mr Simon Perry (Objector)
Additional Representations:	During the consideration of the planning application it had become apparent that the parapet roof the subject of the submission had been built higher than shown on the originally approved plans, although the current proposal would see that raised further.
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: (i) THAT Conditional Permission be granted for the retention of the two rear blocks as constructed. (ii) THAT the alterations to the roof adjacent to unit 12 and its use as a terrace be refused. (iii) THAT the height of the link building be checked by officers. (iv) THAT Enforcement Action be taken requiring the cessation of the use of the area of roof located adjacent to unit 12 as a roof terrace and the alteration of the roof to accord with the approved plans and prevent its use as a roof terrace.
Conditions:	As per report (Item 2)

- (b) [TCP/06614/N](#) - Part demolition; conversion of existing care home and new additional development to provide a total of 8 flats, pair of semi-detached houses and 2 maisonettes; new vehicular access off Madeira Road and parking (revised scheme), (revised plans) - St Josephs, 29 Madeira Road, Ventnor

The site had been visited by members of the Planning Committee on Friday, 21 November 2008.

The applicant had sought to amend a previously approved conversion and extension to the above property. The proposed amendments related to the fenestration and internal layout of the development. During the course of the construction the units had been changed without formal planning permission. The Planning Officer gave an outline of the proposed amendments.

Members were advised that confirmation had been sought in respect of velux windows that had been installed to the rear roof plane of the townhouses, located at the western end of the above site. They did not form an element of the originally approved scheme and had not been included within the list of amendments currently under consideration. The velux windows served storage areas to the rear of second floor bedrooms, which due to their restricted height could not be considered to be living space. It was intended that Officers considered the issue as a separate matter to the current amendments.

During the consideration of the amendments, Officers had also noted that a retaining wall to the east of the buildings had been positioned further south than approved. This had resulted in an area of patio being formed to the east of Unit 4, which had been enclosed with railings.

The Committee was told that the velux windows in the rear plane of the roof of the townhouses did not form part of the alterations being sought as an amendment. Nevertheless, the matter needed to be resolved and had been raised with the applicant's agent. The patio element was not being dealt with as part of the amendments and also overlooked the neighbouring property to the east (No. 31 Madeira Road).

Members were unhappy with the way the applicant had erected the building without due regard to the approved plans. The Head of Planning Services reminded the Committee that a judgement should be formed on each separate element as to whether it was acceptable or not.

Members declined to treat the majority of elements as minor amendments, with the exception of the position of the two external staircases and fenestration treatment on the external western elevation.

RESOLVED :

Members declined to treat the majority of elements as minor amendments, with the exception of the position of the two external staircases and

fenestration treatment of the external western elevation.

(i) THAT the following elements of the amendment request be refused contrary to officer recommendation as members believed:

(1) Western Internal Courtyard Elevation

The window styles, proportions and pattern of fenestration has resulted in an unbalanced appearance of the elevation that fails to preserve and enhance the character of the Conservation Area.

(2) Eastern Internal Courtyard Elevation

The window styles, proportions and pattern of fenestration has resulted in an unbalanced appearance of the elevation that fails to preserve and enhance the character of the Conservation Area.

(3) Eastern External Elevation

The window styles, proportions and pattern of fenestration has resulted in an unbalanced appearance of the elevation that fails to preserve and enhance the character of the Conservation Area.

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

For (11)

Cllrs Henry Adams, Wendy Arnold, Ivan Bulwer, William Burt, George Cameron, Charles Chapman, Mike Cunningham, John Hobart, Muriel Miller, Lady Pigot, Susan Scoccia

- (ii) THAT Enforcement Action be taken requiring the removal of the retaining wall adjacent to Unit 4 and the unauthorised patio.
- (iii) THAT no action be taken at the present time in respect of the velux roof lights in the north roof plane of the town houses.
- (iv) THAT the building be carefully checked by officers for any other breaches of planning.

(c) Planning Applications and Related Matters

Cllr Lady Pigot declared a personal and prejudicial interest in this item and left the room

Application: [TCP/15108/A](#)

Details: Alterations and conversion into single unit of living accommodation to include 1st floor balconies with glass balustrading on front and rear elevations and glazed gable feature on north east elevation; courtyard; railings at ground floor level.

Old Fort Cottage, Esplanade, Seaview, Isle of Wight.

Site Visits: The site was visited by members of the Planning Committee on Friday, 21 November 2008

Public Participants: Mr Peter Tuson (On behalf of Seaview and Nettlestone Parish Council)

Mr Andrew Hitt (Agent)

Additional Representations: It was noted that the Local Member supported the view of the Parish Council.

Comment: Members were advised that there had previously been a question relating to land ownership. A copy of a land registry title had been provided confirming ownership.

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 conditional permission be granted.

Conditions: Conditions as follows :

1. A10 The development hereby permitted shall be begun before the expiration of three years from date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. S03 No development shall take place until details of the materials and finishes to be used in the construction of the external

surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3. UN1 The development hereby permitted shall not commence until a full specification of the new windows, doors and balustrading (including sections, details of materials and finishes, etc) has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: To reflect the requirements of Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 and advice in PPG15 to protect the character and appearance of the conservation area and to ensure the satisfactory appearance of the development and to comply with Policy D1 (Standards of Design) of the Isle of Wight Unitary Development Plan.

4. R03 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.

Reason: To safeguard the character and amenities of the area and to comply with Policy D1 (Standards of Design) of the Isle of Wight Unitary Development Plan

5. K21 The garages edged red on the submitted location plan shall be kept available at all times for no other purpose than for the parking of cars in relation to the residential dwelling hereby permitted (the building known as 'Old Fort Cottage'). No trade or business shall be carried out therefrom.

Reason: In the interests of the amenities of the area in general and adjoining residential property in particular and to comply with Policy D1 (Standards of Design) and TR16 (Parking Policies and Guidelines) of the Isle of Wight Unitary Development Plan.

6. M33 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 treatment to be erected. The boundary treatment shall be completed before the dwelling hereby permitted is

occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of maintaining the amenity value of the area and to comply with Policy D1 (Standards of Design) of the Isle of Wight Unitary Development Plan.

(Item 3)

Application:	TCP/01701/E
Details:	Demolition of dwelling; two detached houses to include roofspace accommodation and terrace at 1st floor level; parking; alterations to vehicular access and formation of vehicular access (revised plans) 27 Beachfield Road, Bembridge, Isle of Wight
Site Visits:	The site was visited by members of the Planning Committee on Friday, 21 November 2008
Public Participants:	Mr Webber (Objector) Mrs Kendall (Objector) Mr Richard Beet (Objector) Mr Hayes (Applicant)
Additional Representations:	Revised plans and additional information had been the subject of a limited consultation/notification procedure, to which responses had been received.
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 is refused.
Reasons:	As per report (Item 4)

Application:	TCP/28818/A
Details:	Demolition of part of existing dwelling construction of detached house garage and car port; alterations to vehicular access, parking/turning area, (revised scheme)

Land adjacent, 14 Pallance Road, Cowes, Isle of Wight

Site Visits: The site was visited by members of the Planning Committee on Friday, 21 November 2008.

Public Participants: Mrs Penny Downer (Applicant)

Additional Representations: None

Comment: It was noted that the Local Member, Cllr Roger Mazillius, who had previously indicated he was not happy with the application had advised that following further negotiations with the applicant and planning officers, he was now content for the Committee to determine the application.

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 conditional permission be granted.

Conditions: Condition 3 - to include boundary treatments between the application site and applicants property (14 Pallance Road)

Condition 6 – to include a permeable surface.

As per report (Item 5)

Cllrs Muriel Milller and Henry Adams declared a personal and prejudicial interest in this item and left the room

Application: [TCP/09242/J](#)

Details: Alterations and change of use from warehousing, distribution and wholesale with ancillary trade counter to retail and warehousing/distribution

W J Nigh and Sons Ltd, 62 Landguard Road, Shanklin, Isle of Wight

Site Visits: The site was visited by members of the Planning Committee on Friday, 21 November 2008

Public Participants: None.

Additional Representations: The Environmental Health Officer raised no objection in respect of the proposed change of use.

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 conditional permission be granted.

Conditions: The following conditions to be added :

5. The retail unit hereby permitted shall not be open for business outside the hours of 0800 – 2000 Mondays – Fridays, outside the hours of 0800 – 1800 hours on Saturdays and outside the hours of 1000 – 1600 hours on Sundays and recognised Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent annoyance and disturbance, in particular sleep disturbance, from noise associated with the proposed use and to comply with Policy D1 (Standards of Design) of the Isle of Wight Unitary Development Plan.

6. No deliveries to or dispatches from the premises shall take place outside of the hours of 0700 – 1800 hours on Mondays (which are not Bank Holidays) – Fridays, outside the hours of 0700 – 1800 hours on Saturdays, outside the hours of 0900 – 1600 hours on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent annoyance and disturbance, in particular sleep disturbance, from noise associated with the proposed use and to comply with Policy D1 (Standards of Design) of the Isle of Wight Unitary Development Plan.

As per report (Item 6)

- (d) [TCP/01848/T - Demolition of building and outbuildings; residential development of eight flats in two 2 storey blocks and two pairs of semi-detached houses; alterations to vehicular access and parking – Site of former Cowes Health Centre, Consort Road, Cowes](#)

The Local Member Cllr Lora Peacey-Wilcox spoke on behalf the local residents who had no objections to the amendments.

Additional Representations: None.

Comment: Members accepted all the changes to the fenestration but wanted the gable features to be re-instated on the rear elevation.

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:

- (i) THAT it was agreed to treat the changes to the fenestration to the building as a minor amendment to the agreed plans but declined to agree to the omission of the gable features on the rear elevation.
- (ii) THAT Enforcement Action be initiated to secure the provision of the gable features in accordance with the approved plans.

(Paper D)

37. [**Members' Question Time**](#)

Cllr Susan Scoccia asked a question in relation to the Daniel Child of the Enforcement Team. She was advised that he was on a temporary contract but Planning Services were looking to appoint a permanent team leader in due course.

Cllr Susan Scoccia asked when an up to date report an enforcement action was to be brought to the committee. A new database was being developed which would help in the reporting process.

Cllr Susan Scoccia asked for an update on signage and a response was provided.

CHAIRMAN