



Minutes

Name of meeting	PLANNING COMMITTEE
Date and time	TUESDAY, 26 AUGUST 2008 COMMENCING AT 4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Ivan Bulwer (Chairman), Wendy Arnold, George Cameron, Charles Chapman, Mike Cunningham, John Hobart, Gill Kennett, Muriel Miller, Brian Mosdell, Lady Pigot, Susan Scoccia, David Whittaker (2 Vacancies)
Also Present (non voting)	Cllrs Charlie Hancock, Peter Humber, Geoff Lumley
Officers Present	Keith Jolliffe, John MacKenzie, Julie Martin, Bill Murphy, Andrew Pegram, Jean Penney, Justin Thorne, Andrew White Andy Fuller and Lydia Lewis (Urban Vision)
Apologies	Henry Adams
21.	<u>Minutes</u> <u>RESOLVED :</u> THAT the Minutes of the meeting held on <u>22 July 2008</u> be confirmed.
22.	Declarations of Interest <u>(1)</u> and <u>(2)</u> Cllr Charles Chapman declared a personal interest in Minute 24 (a) (2) - Island Harbour Marina Ltd, Mill Lane, Binfield as he kept a boat there. Cllr David Whittaker declared a personal and prejudicial interest in Minute 24 (a) (3) - Sainsbury's and land adjacent Foxes Road, Newport as he was a member of Newport Parish Council who had objected to the application. He was not present during the discussion or voting thereon. Cllr Lady Pigot declared a personal and prejudicial interest in Minute 24 (a) (6) - Thirlmere and Santos, Hilbre Road, St. Helens as she had a close association with the people who owned the neighbouring property.

23. **Public Question Time**

Mr J Woodhouse asked a question relating to the consultation paper on the New Island Plan, he believed that paragraph 8.222 was incorrect, it was not as the O'Rourke report. He was advised to write to Wendy Perera the Acting Planning Policy Manager.

24. **Reports of the Head of Planning Services**

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

Consideration was given to items 1 - 8 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:	<u>TCP/28687</u>
Details:	Construction of hangar to include overnight stay accommodation; alterations to vehicular access. Land off Embassy Way, Sandown.
Site Visits:	The site was visited by members of the Planning Committee on Friday, 22 August 2008.
Public Participants:	Mr Simon Kitching (Objector) Mr Roy Bevan (On behalf of Newchurch Parish Council) Mr John Woodhouse (Applicant)
Additional Representations:	Concerns that had been raised regarding fire precautions had been referred to the Fire Safety Officer who was satisfied that those matters would be dealt with at the Building Regulation Stage.

Four additional letters of objection had been received.

Additional information from the owners of the airport was received and read out.

Comment: During the public speaking part of the application the applicant indicated that if the application was approved he would not accept the proposed S.106 Agreement.

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 deferred for further discussion with the applicant.

Conditions: As per report (Item 1)

Application: [TCP/21713/K](#)

Details: Island Harbour Marina Ltd, Mill Lane, Binfield, Newport

Demolition of buildings/structures; outline for development comprising infrastructure improvements, additional units of holiday accommodation, marine industrial units, hotel/bar and restaurant, management and security facilities; associated boatyard and repair facilities.

Site Visits: The site was visited by members of the Planning Committee on Friday, 22 August 2008.

Public Participants: Mr Ian Dunsire (Objector)
Mr Richard Haynes (On behalf of Whippingham Parish Council)

Mr Eric Sey (Agent)
Mr Dominic Chapell (Applicant)

Additional Representations: The hotel element formerly proposed was omitted from the scheme and the agents had confirmed that the layout was to be a reserved matter and the plans submitted were for guidance purposes only.

An alteration to the legal Agreement would

include a full specification of materials and phasing of the proposed greenway through the site.

One further letter from a local resident had been received raising various issues which included the status of previous phases of the continuing development since 1988. A question was raised as to whether the legal agreements related to the various phases overlap or acted upon later phases, did the previous legal agreements impact upon the current application if it was approved. In addition, questions were raised over infilling work which had taken place close to the Paddle Steamer Ryde, the use of land adjoining the temporary bistro building for outside seating and the subsequent adverse effects to the setting of the Listed Building.

On the first issue, concerning former legal agreements, if there are breaches of control then these are enforcement issues and do not prejudice the consideration of the current application. Previous legal agreements do overlap later ones and may affect the occupancy restrictions. However these are matters which require legal interpretation and action as necessary. With respect to the current application, the red lined application plan refers to that land to the south off of Mill Lane and the Harbour which was not covered by the original Section 52 Agreement which is therefore not operative with regard to the current application site. The alleged infilling of the marsh which appears to comprise the tipping of some material adjoining the eastern side of the PS Ryde is an issue which would be resolved in the event that this application is successful and the development is implemented; otherwise enforcement action may be required.

Following further comments with regard to the setting of the Listed Building, the Council's Conservation Officer had made further comment:

'I am aware that some of the hedging has been removed in association with ditching works adjacent to the lane. I understand that this area is being used in association with the bistro, but it appears to be outside the red line area for the bistro application. As noted previously the existing hedges and landscaping are an important

characteristic of the area. The Master Plan acknowledges the importance of landscaping here.

The layout on the outline plan shows buildings close to the access road in the proximity of the Listed Building which would leave little space for retention or replacement of the hedges. However relatively minor adjustments to the location of the buildings will allow more space for landscaping which would mitigate the impact of the proposed development and help to preserve the setting of the Listed Building. I assume that the landscaping details would be conditioned and provided as part of a reserve matters application.'

It was confirmed by the agent that the matter of layout of the scheme was to be for guidance purposes and the exact siting of buildings would be a reserve matter for future application in the event that planning permission was granted. This gave even more flexibility to the landscaping of the site which could ensure the replanting of hedgerows in order to maintain the setting of the Listed Building and the surroundings.

With the reservation of layout and landscaping implications, a revision to Condition 5 was proposed to include further details of replacement hedgerow planting, existing and proposed levels on the site.

Whippingham Village Management Committee had objected echoing objections by the Environment Agency, Southern Water and CPRE.

Crime Prevention Design Advisor did not object to outline consent and would comment as relevant on any application for reserved matters.

The Environment Agency and Southern Water's comments have been addressed with conditions applied to require details of drainage to be submitted and following the submission of further details the Environment Agency has removed its objections.

Clarification from the agent was as follows:

- Slipway – The slipway was not a public slipway. However the public were free to

use the slipway at Island Harbour but point out that the public access was pedestrian only and that vehicular access was by permission of Island Harbour Ltd

- Boat racking and boat storage – There would be a considerable provision for storage and launching of all types of water craft; dinghies, RIBs, trailer sailors, motor boats and yachts. There was sufficient space to accommodate any combination of water craft at Island Harbour for the additional holiday units during the traditional sailing season, the larger boats and yachts having vacated the boat storage space during this period. Island Harbour were satisfied that 120 berth dry stack provides additional flexibility over and above that which could be accommodated in the open boat storage area.
- Keyworker accommodation – The units were for keyworkers in the employment of Island Harbour Ltd and provided housing for essential personnel to address the issue of attracting and retaining a consistent level of suitable and experienced staff on site all year round to provide 24 hour lock operation, site security and sufficient staff to deal with the maintenance, management, operational and health and safety requirements of running the facility.

Southern Water point out no mains foul drainage exists but a new pumping station will need to be installed.

Comment: The local member, Cllr Charlie Hancock, spoke on this item.

Decision: The Committee believed a split decision was necessary and resolved:

- (i) The keyworker accommodation element of the application be refused contrary to officer recommendation.

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

For (11)

Cllrs Wendy Arnold, Ivan Bulwer, George Cameron, Charles Chapman, Mike Cunningham, John Hobart, Gill Kennett, Muriel Miller, Lady Pigot, Susan Scoccia, David Whittaker

Against (1)

Cllr Brian Mosdell

THAT the keyworker element of the application be refused.

Reason: Insufficient information provided to demonstrate the need for permanent residential accommodation for employees of the development.

(ii) THAT the remaining elements of the application be approved, subject to the prior completion of a Section 106 Agreement to cover:-

- To require the establishment and maintenance of a register of all persons occupying the holiday accommodation, their names, home addresses and dates of occupation and to ensure the register is available to the Local Planning Authority at reasonable notice.
- To provide and maintain dedicated boat storage facilities for each and every unit of holiday accommodation hereby approved
- To require the conclusion of a Section 278 (Highways Act) Agreement to provide access improvements to the junction of Mill Lane and North Fairlee Road consistent with a scheme approved by the Local Planning Authority

The following emanate from the Appropriate Assessment carried out under the Habitat Regulations:-

- To require Nature Conservation mitigation to include:-
 - Details of a monitoring protocol to measure and rectify any adverse impacts of mitigation work carried out
 - Prohibiting outdoor events of a specified nature within areas defined

- o on a plan during the period of 1st November to 1st March (overwintering period)
- o To provide a greenway route through the site avoiding ecologically sensitive areas linking the existing footpath to Mill Lane in accordance with details (including signage) and timing to be approved by the Local Planning Authority
- o To adhere to all construction methodology, practices and mitigation as described in the Island Harbour, Medina Estuary, Isle of Wight, Ecological Assessment dated May 2008, throughout the implementation of the development

Conditions: As per report (Item 2)

(Cllr David Whittaker declared a personal and prejudicial interest in this item and left the room).

Application: [TCP/21952/M](#)

Details: Sainsbury's and land adjacent Foxes Road, Newport

Variation of condition no. 7 on TCP/21952/G which states that prior to the commencement of the development, Petticoat Lane shall be diverted to a route and in accordance with a specification agreed to enable the commencement of development (except for the store extension and decked car park) (revised description) (readvertised application).

Site Visits: The site was visited by members of the Planning Committee on Monday, 18 May 2007.

Public Participants: Mrs Jackie Hawkins (On behalf of Newport Parish Council)

Mr Simon Metcalf (Agent)

Additional Representations: Nine further letters of objection including a 39 signature petition objecting to the development on the basis of the principle of diverting Petticoat Lane and the consequent conflicts between traffic, cyclists and pedestrians; also objected to the principle of extending Foxes Road, and to the

historic nature of Petticoat Lane as a public right of way possibly dating back to medieval times.

Planning permission had been granted in March 2008 for a scheme which required the diversion. This application sought only to vary the timing of commencement of elements of the development and not the principle of diversion of Petticoat Lane which had already been established.

A letter from the applicants had been circulated to Members and local residents explaining the reason for the application and the quality of the replacement right of way.

Comment: The local member, Cllr Peter Humber, spoke on this item.

Members noted that to date the applicant had not submitted an application for the diversion of Petticoat Lane and discussed the option of adding a condition stating that an application for the diversion should be submitted within three months of the decision. Members were advised that it did not meet the tests of the circular.

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.

An Informative Note to be put on the Decision Notice setting out the views of the Planning Authority that the applicant should move towards the submission of the application for the diversion within three months and to remind them that any works commenced in advance of that permission were undertaken at their own risk.

Conditions: As per report (Item 3)

Application: [TCPL/05052/L and LBC/05052/K](#)

Details: Land adjacent Meadow Barn, Weston Road, Totland Bay

Conversion of barn into dwelling; construction of detached chalet bungalow (revised scheme) (readvertised application)
and

LBC for conversion of barn into dwelling;
construction of detached chalet bungalow
(revised scheme) (readvertised application)

Site Visits: The site was visited by members of the Planning Committee on Friday, 23 May 2008.

Public Participants: Mrs Bryan (On behalf of Totland Parish Council)
Mr Glen Hepburn (Agent)

Additional Representations: Further discussions had taken place with the applicant's agent concerning the phasing of the proposed development. The agent had confirmed that his client would accept a condition, should permission be granted, which required the barn conversion to be substantially completed prior to work commencing on the construction of the new dwelling.

Comment: The Committee was reminded that an updated report had been circulated to members on 20 August 2008.

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 subject to condition 17 being amended.

Conditions: Condition 17 to be amended to read as follows:

'Prior to works commencing on the development hereby approved a phasing programme of works for the barn conversion and new build dwelling shall be submitted for the approval of the Local Planning Authority. This programme shall ensure that the work on the barn is completed prior to occupation of the new dwelling. Work shall then be carried out in accordance with the approved programme.'

Reason: *To reflect the requirements of Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to protect the character and appearance of the Listed building in*

accordance with advice in PPG 15 and to comply with Policy D1 (Standards of Design) of the Isle of Wight Unitary Development Plan.'

As per report (Items 4 and 5)

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

Application: [TCP/16146/C](#)

Details: Thirlmere and Santos, Hilbre Road, St. Helens

Demolition of 2 houses; proposed detached eco house with detached garage/pool house to include wind generator

Site Visits: The site was visited by members of the Planning Committee on Friday, 22 August 2008.

Public Participants: Mrs Squibb (Objector)

Additional Representations: Southern Water had confirmed no objection to the proposal, although it would be necessary for the applicant to agree arrangements for the emptying of the proposed swimming pool and the discharge of any treated effluent from the proposed plant room through Southern Water's Trade Effluent Team.

The agent had also confirmed that the proposed pool would only need emptying annually and that the volume of water in question could be accommodated within the high capacity recycling system as the chemicals involved would be sensitive to reuse.

Comment: The committee was advised that the '*to include wind generator*' part of the application was to be removed.

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 subject to an additional condition.

Conditions: Additional condition as follows :

Prior to work commencing on site a Development Management Plan be submitted to regulate contractors parking and delivery of goods to ensure the free flow of traffic on Hilbre Road at all times during construction.

As per report (Item 6)

Application: [TCP/25310/C](#)

Details: Cartreff, 9 Inglewood Park, Ventnor

Replacement dwelling and garage; alterations to vehicular access (revised scheme)

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

Public Participants: Mr Brian Charlton (Objector)

Mr Benjamin (Agent)

Additional Representations: 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 (with covering letter relating to ground stability).

Conditions: As per report (Item 7)

Application: [TCP/29008](#)

Details: 85 Quarry View, Camp Hill, Newport

Demolition of garage; replacement detached double garage

Site Visits: The site was visited by members of the Planning Committee on Friday, 22 August 2008.

Public Participants:	None.
Additional Representations:	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 8)

(b) [Schedule of Planning Appeals as at 30 June 2008 - \(Q1 08/09\)](#)

Members considered the report of the schedule of planning appeals as at 30 June 20-08.

The Development Control Manager updated members on a number of appeals within the report. It was noted that the overall percentage of appeals allowed for the Isle of Wight Council was 27% which was below the national average of 30%.

Members congratulated planning officers.

RESOLVED :

THAT the report be noted.

CHAIRMAN