

# Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and time	<b>TUESDAY, 27 MAY 2008 COMMENCING AT 4.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Ivan Bulwer (Chairman), Wendy Arnold, William Burt, George Cameron, Charles Chapman, Mike Cunningham, John Hobart, Gill Kennett, Muriel Miller, Brian Mosdell, Lady Pigot
Also Present (non voting)	Cllrs Barry Abraham, George Brown, Vanessa Churchman, Melanie Swan
Officers Present	Steve Cornwell, Keith Jolliffe, Julie Martin, Helen Miles, Bill Murphy, Matthew Northard, Andrew Pegram, Phil Salmon, Amanda Thomas, Sarah Wilkinson
Apologies	Henry Adams, Susan Scoccia

8. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [22 April 2008](#) be confirmed.

9. [Declarations of Interest](#)

There were no declarations received at this stage.

10. [Public Question Time](#)

Questions were put to the Chairman as follows :

Mr Helen Clover of Weston Road, Totland (PQ 33/08) had submitted a question relating to changes to S6.10 of the UDP and information relating to revised plans. She was not present at the meeting so the Head of Planning Services read out the question and appropriate response. A copy of the question and the answer provided is available in the Public Question Register.

11.

## **Report of the Head of Planning Services**

### **Planning Applications and Related Matters**

Consideration was given to items 1 - 9 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.

(During the debate Cllr Charles Chapman declared a personal and prejudicial interest, as he is Vice President of the Dimbola Lodge Trust, and left the room)

**Application:** [TCP/10509/G](#)

**Details:** Hazelhurst, Gate Lane, Freshwater.

Demolition of building; residential development comprising three storey block of nine flats with parking (revised scheme) (revised description) (readvertised application).

**Site Visits:** The site was visited by members of the Planning Committee on Monday, 28 January 2008.

**Public** Mr Vic Jennings (Objector)

**Participants:**

Mr Stephen Gray (On behalf of Freshwater Parish Council)

Mr David Long (Agent)

**Additional Representations:** The Council's Senior Ecology Officer had undertaken an internal inspection of the roofspace and confirmed that the roof voids were not used by bats. However, it was possible that pipistrelle bats may be using the roof soffit boards during the summer months and not actually using the roofspace. As there was currently no evidence of bats it was considered acceptable

that no formal requirement for a bat report prior to determination and this should be conditioned if the application were to be approved. It was recommended that the condition be amended, requiring the applicant to inform the Isle of Wight Council immediately in the event of bats being discovered during demolition.

One additional letter of objection had been received regarding impact on the AONB.

**Comment:** In compliance with the Council's Constitution the local member, Cllr Gill Kennet, 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 subject to additional conditions.

**Conditions:** Conditions to be added as follows :

Removal of permitted development rights for satellite dishes.

Condition requiring a S.106 Agreement for the management of communal areas.

As per report (Item 1)

---

**Application:** [TCP/28703/A](#)

**Details:** Mawneys, New Road, Wootton Bridge.

Proposed detached chalet bungalow with parking and alterations to vehicular access off Sloop Lane; new vehicular access and parking off New Road for Mawneys (revised scheme).

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

**Public Participants:** Mr Forward (Objector)

Mr Ray Murphy (On behalf of Wootton Bridge Parish Council)

Mrs Hibberd (Applicant)

**Additional Representations:**

One letter was received from a resident of Sloop Lane objecting to the application on grounds that could be summarised as follows:

- Traffic congestion along Sloop Lane, particularly during the construction period.
- Overlooking and loss of privacy.
- Overall size and particularly the height of the proposed dwelling would not be in keeping with the surrounding properties.
- Ground conditions owing to “blue slipper clay” contribute to poor surface water drainage and objector’s property is also showing initial signs of subsidence. Proposed building may exacerbate such problems.
- Sloop Lane cannot sustain constant traffic associated with the new build.

One letter was received from a local resident situated in New Road expressing concern regarding the resultant fumes and noise from the proposed parking area onto New Road. Also concerned that their privacy would be affected both to the front and rear of their property.

**Comment:**

The local member, Cllr Barry Abraham, spoke on this item.

The site was not within an area that was recognised as presenting localised ground stability problems, and Officers were content that any such concerns could be adequately controlled at the Building Control stage when foundations could be designed to suit local ground conditions.

**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 (6)**

Cllrs Wendy Arnold, Bill Burt, George Cameron,  
John Hobart, Gill Kennett, Brian Mosdell

**Against (3)**

Cllrs Ivan Bulwer, Charles Chapman,  
Mike Cunningham

**Abstention (2)**

Cllrs Muriel Miller, Lady Pigot

THAT the application be refused.

**Reasons:** Over development of the site resulting in the development being out of context with the surrounding area Contrary to policy G4 (a) and (e) of the Isle of Wight Council Unitary Development Plan.

(Item 9)

---

**Application:** [TCP//27745/C](#)

**Details:** Ashley Common Farm, Deacons Lane, Ashley, Ryde.

Loose boxes and barn for use as feed store; variation of condition 5 of TCP/27745/B to include use of access for equestrian purposes (revised scheme) (revised description) (re-advertised application).

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

**Public Participants:** Mr Simon Craddock (Agent)

Liz Bell (On behalf of Havenstreet and Ashley Parish Council)

Mr K Bucket (Applicant)

**Additional Representations:** None.

**Comment:** The local member, Cllr Vanessa Churchman, 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/24342/E](#)

**Details:** Former Whitecroft Hospital, Sandy Lane, Newport

Proposed liquid propane gas compound (revised location) (readvertised application)

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

**Public Participants:** Mr Alan Garrett (Objector)

**Additional Representations:** None.

**Comment:** The local member, Cllr Melanie Swan, 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:** Conditions to be added as follows :

- (i) To protect the cabling from wildlife.
- (ii) Security fencing and CCTV.
- (iii) A covering letter acknowledging the site was outside the Whitecroft development brief boundary and that the permission in this instance was granted due to the specific requirement of the location of the tanks, any further development outside the boundary was not to be encouraged.

As per report (Item 2)

---

<b>Application:</b>	<a href="#">TCP/14875/N</a>
<b>Details:</b>	<p>Adjacent to east side of pumping station, Esplanade, Ventnor.</p> <p>Variation of condition 11 on TCP/14875/L to vary the time scale for construction of the ancillary storage building and condition 14 to amend the terms of the planning obligation in relation to the provision of a harbour master's office.</p>
<b>Site Visits:</b>	The site was visited by members of the Planning Committee on Monday, 24 April 2007
<b>Public Participants:</b>	<p>Mr Dennis Russell (Objector)</p> <p>Ms Debby Robinson (On behalf of Ventnor Town Council)</p> <p>Mr Keith Strevens (Applicant)</p>
<b>Additional Representations:</b>	<p>Seven letters of objection from residents had been received regarding the proposed variation of condition. The reasons for objections were as follows:</p> <ul style="list-style-type: none"> <li>▪ The proposed changes to the condition compromised the original purpose of the Ventnor Haven development to create local employment opportunities.</li> <li>▪ The removal of the clause requiring the Harbour Master's office and facilities to be co-sited with Cheetah Marine reduced the community involvement in the site.</li> <li>▪ The value of the site was based on local employment and improved harbour facilities and as such the approved planning permission should remain in force without change.</li> <li>▪ The proposals were a back door way of allowing residential and holiday let uses at a later date.</li> <li>▪ The project should be for the good of the town and not for the long-term benefit of the developer.</li> <li>▪ The developers would be free to apply to convert any building they erect for any</li> </ul>

usage they like.

- The planning department had recommended approval in advance of all the required documentation.

A letter of objection had been received concerning the proposed amendment to the design of the Cheetah Marine building to incorporate an additional dormer window. The objection was based on the grounds that the dormer proposal did not serve to conserve energy and that it would in fact lead to greater heat loss. The development was being steered towards a residential use at a later date.

National Safeguarding (NATS) acting for the Civil Aviation Authority confirm they did not raise any objection to the proposals.

Islandwatch objected on the grounds that the original conditions were imposed to protect public interest and were perfectly reasonable and therefore they should stand.

Ventnor Town Council had written outlining that they were unaware of the circumstances leading to the delay in the project and the need to vary the conditions of the existing planning permission. The Town Council would like assurances that in future they would be kept informed of any circumstances which arose in such cases and that they be given the opportunity to make known their views by early consultation and discussion.

The Campaign to Protect Rural England had written two further letters. The first highlighted the fact that the proposed S106 agreement accommodated the original version of the condition and not the variation tabled at Planning Committee. The S106 needed to reflect the proper approved planning conditions. The second letter outlined a complaint against the manner in which the application had been dealt with, particularly with the issue of additional information and the timing of the determination by Planning Committee, which was considered to be too early to allow full consideration of issues. The further comments submitted by the CPRE were in response to the publication of the Committee Report. Four additional comments were submitted as follows:



- The Section 106 agreement needed to be updated to accommodate the correct condition.
- CPRE agreed with the variation of condition 11 to allow the phasing and redesign of a separate storage building.
- The CPRE objected to any variation of condition 14 where the Council would lose control over ensuring that the development was in conformity with the Ventnor Eastern Esplanade development brief.
- The CPRE did not agree with the report in its description of the provision of a dormer window as being a minor matter. The proposal would lead to the building having the appearance of a residence and as such was inappropriate for industrial/commercial building.

A further email has been received from the CPRE, which made the following points:

1. The CPRE had never been allowed to see the contract that the Isle of Wight Council entered into with Cheetah Marine. If the variation of condition 11 were agreed to vary the timescale and phasing of the storage building it was vital to ensure that no freehold could be acquired by the developers until the whole development, including the storage building, was complete.
2. The covenant conditions listed in section 3 of the draft S106 should mention the permanent marine use condition.
3. Objected to section 4.1B of the draft agreement. The term best endeavours was not a legal concept.

**Comment:**

The local member, Cllr Jonathan Fitzgerald-Bond spoke on this item.

Officers were satisfied that the proposed conditions maintained control over the appropriate phasing of the storage building and over the use of the buildings to be maintained in

marine employment uses. The draft Section 106 agreement required there to be marine employment use in the event that the Harbour Master's facility was operated from an alternative site. There was neither an increased chance of change of use to an alternative non-marine related use, nor was there a removal of the need for a planning application should a future operator wish to change the use. As such the proposed variation of conditions were appropriate and Officers' original recommendation remained the same.

The proposed amended elevations to incorporate a dormer window were appropriate and did not assume future change of use of the buildings to residential uses. The objectives of the original development brief for the eastern esplanade were maintained.

The issues raised by the CPRE letters of complaint had been addressed in a response to them.

**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:

- (iv) THAT Condition 11 on P/02013/06 be varied.
- (v) THAT Condition 14 on P/02013/06 be varied.
- (vi) THAT the proposed amendments shown on drawing numbers 03:1369:110C and 03:1369:111A be accepted as a minor amendment to planning permission P/02013/06

**Conditions:**

As per report (Item 3)

---

<b>Application:</b>	<a href="#">TCP/17815/K</a>
<b>Details:</b>	16 High Street, Sandown.  Replacement extraction ducting (revised scheme) (readvertised application).
<b>Site Visits:</b>	None.
<b>Public Participants:</b>	Mr Adrian White (Objector)
<b>Additional Representations:</b>	Sandown Town Council confirmed that it had no objection to the revised scheme.  The owner/occupier of a flat above the application premises confirmed no objections to the revised low level extraction system provided: <ol style="list-style-type: none"> <li>1. The odour level was low and the filters were maintained on a regular basis.</li> <li>2. Noise level was checked on completion.</li> <li>3. The system was completed within a short timeframe to alleviate the nuisance caused by the existing system.</li> <li>4. That Enforcement take positive action should the revised system fail.</li> </ol>
<b>Comment:</b>	Members believed that noise and odour levels should be checked at the installation stage and a timer should be fitted to the system.
<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 conditions as follows : <ol style="list-style-type: none"> <li>(i) A tamper proof timer being fitted to the extraction system.</li> <li>(ii) Noise and odour levels to be checked at installation stage.</li> </ol> <p>As per report (Item 6)</p>

**Application:** [TCP/21888/H](#)

**Details:** Shalfleet Garage Co Ltd, Shalfleet Service Station, Main Road, Shalfleet.

Alterations and conversion of store into 6 unit motel accommodation block and store/boiler room to include single storey extension.

**THIS APPLICATION WAS WITHDRAWN BY THE APPLICANT**

(Item 4)

---

**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

and

LBC for conversion of barn into dwelling; construction of detached chalet bungalow.

**THIS APPLICATION WAS DEFERRED BY OFFICERS**

(Items 7 and 8)

---

CHAIRMAN