

Minutes

Name of meeting	PLANNING COMMITTEE
Date and time	TUESDAY, 28 SEPTEMBER 2010 COMMENCING AT 4.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Ivan Bulwer (Chairman), Reg Barry, Stuart Dyer, Paul Fuller, John Hobart, Richard Hollis, Julie Jones-Evans, David Knowles, Susan Scoccia, Arthur Taylor, Jerry White
Also Present (non voting)	Cllrs Barry Abraham, George Brown, David Whittaker
Officers Present	Russell Chick, Julie Martin, Bill Murphy, Phil Salmon, Justin Thorne, Alan White, Andrew White, Sarah Wilkinson
Apologies	Cllr Roger Dixcey

14. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [24 August 2010](#) be confirmed.

15. **Declarations of Interest** ([Recording 1](#) and [2](#))

Councillor Arthur Taylor declared a personal and prejudicial interest in Minute 16(a) 1, 2 and 3 – Dairy Crest site, Newport – as his daughter lived in the area. He was not present during the discussion or voting thereon.

Mr Phil Salmon, Deputy Head of Planning Services, declared a personal and prejudicial interest in Minute 16 (b) – The Isle of Wight Owl and Monkey Sanctuary – as he lived in the area. He was not present during the discussion or voting thereon.

Councillor Julie Jones-Evans declared a personal interest in Minute 16 (b) – The Isle of Wight Owl and Monkey Sanctuary – as she lived in the ward where the sanctuary was situated.

Councillor Paul Fuller, Reg Barry and David Knowles declared a personal interest in Minute 16 (a) 1 and 2 – as they knew the person speaking on behalf of Newport Parish Council.

16. Report of the Head of Planning Services

(a) Planning Applications and Related Matters

Consideration was given to items 1 - 4 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/00502/Z](#)

Details: Residential development comprising 60 dwellings with landscaping and associated network of roads/infrastructure; access link with Foxes Road (revised plans)(readadvertised application)

Land at former Dairy Crest Site, between Westminster Lane and Petticoat Lane, Newport, Isle of Wight

Site Visits: The site was visited by members of the Planning Committee on Friday, 24 September 2010.

Public Miss Jackie Hawkins (Objector)

Participants: Mrs Shirley Smart (On behalf of Newport Parish Council)

Mr Keith Chichester (Agent)

Additional Representations: Additional representations had been received from Newport Parish Council.

The Badger Trust highlighted the presence of a further badger sett on the site.

Comment: The Local Member, Cllr David Whittaker, spoke on this item.

Decision: THAT the application be deferred for further discussions with the applicant.

Reasons: Lack of affordable housing contribution

Lack of formal play space within the development.

(Item 1)

Application: TCP/29980 ([Recording 1](#) and [2](#))

Details: Outline for three/four storey block to provide 58 assisted living apartments with undercroft parking; landscaping; vehicular access off Mill Street (revised plans)(readvertised application)

Land at former Dairy Crest site, north of Lukely Brook, Westminster Lane, Newport, Isle of Wight

Site Visits: The site was visited by members of the Planning Committee on Friday, 24 September 2010.

Public Participants: None.

Additional Representations: Additional representations had been received from Newport Parish Council.

Comment: There was some concern as to whether this application and the previous application were interdependent particularly in relation to access. A brief adjournment was held to enable the head of planning services and the applicant's agent to discuss the access issue in private.

Upon reconvening the head of planning services indicated that it had been agreed with the applicant's agent that due to the deferral of the first item, any consideration of this item, because of the links between the two schemes in terms of highways, should be deferred.

Owing to the fact that the item was deferred it was agreed that those members of the public who were already registered to speak would be invited back to speak when the item was brought back before the committee.

Decision: THAT the application be deferred.
(Item 2)

Application: [TCP/05362/A](#)

Details: Demolition of factory/warehouse; residential block comprising terrace of three houses with roofspace accommodation and three storey element forming ten flats; end of terrace house; parking; access off Old Westminster Lane and Mill Street (revised plans)(readvertised application)

Former Dairy Crest site, 23 Mill Street, Newport, Isle of Wight

Site Visits: The site was visited by members of the Planning Committee on Friday, 24 September 2010.

Public Participants: Mr Keith Chichester (Agent)

Additional Representations: Three additional letters of representation were received.

Comment: In compliance with the Council's Constitution the local member, Cllr Julie Jones-Evans, did not vote.

Decision: The application was refused contrary to officer recommendation as members believed the development was out of character and keeping with the street scene.

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

For (5)

Cllrs Reg Barry, Richard Hollis, David Knowles, Susan Scoccia, Jerry White

Against (4)

Cllrs Ivan Bulwer, Stuart Dyer, John Hobart, Paul Fuller

RESOLVED:

THAT the application be refused.

Reasons: The proposed development would also be contrary to Policies D1 (Standards of Design) and G4 (General Locational Criteria of Development) of the Isle of Wight Council Unitary Development Plan.

(Item 3)

Application: [TCP/27094/F](#)

Details: Removal of condition no. 1 on TCP/27094/E/P/01761/09 which states that the permitted use shall be discontinued and the land restored to its former condition on or before 23/03/2013, and variation of condition no. 8 on TCP/27094/E/P/01761/09 to increase the permitted number of tent pitches from 5 to 10 and increase the number of tepees from 3 to 5 (including camping pods)

Site Visits: Riverside Paddock, Dodnor Lane, Newport, Isle of Wight
The site was visited by members of the Planning Committee on Friday, 19 March 2010.

Public Participants: Miss Herbert (On behalf of the applicant)

Additional Representations: None.

Comment: 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 (Item 4)

- (b) [TCP/01501/T](#) - Change of use of land and buildings to form monkey sanctuary; outline planning permission for buildings variation of agricultural occupancy condition (revised plans)(additional information supplied in form of Development Plan)(readvertised application) Five Acres Farm, Staplers Road, Newport, Isle of Wight

Late representations were circulated to all members prior to the start of the meeting providing additional information that was relevant to the case.

Members were reminded that outline permission had been granted by the Planning Inspectorate in February 2001 for the use of land as a monkey sanctuary. Conditions 6 and 7 of the outline consent related to the required species list and noise mitigation measures.

In April 2008 a formal complaint was received alleging that pre-commencement conditions had not been complied with.

Consideration was given to the impact on the surrounding residential properties and whether formal enforcement action to remedy the breach was reasonable.

Calculations undertaken by Environmental Health indicated that the noise of the gibbons would range between 32 and 41 dB(A) at properties within Staplers Road. The noise to the nearest property would equate to 48 dB(A). Diaries of call times confirmed that the Siamang Gibbons had not been recorded before 9.20 am and the longest period of singing being 30 minutes. The gibbons had not been recorded as singing after 13.25 hours. Environmental Health confirmed that the level of noise generated from the site was not a nuisance and there was no compelling reason why the Siamang Gibbons should not remain at the sanctuary.

The adjoining member who spoke on behalf of the local member reminded the committee that the original application had been for refusal. He indicated that residents felt let down and were concerned with the impact the gibbons could have on them.

There was some question as to whether by adding the two Siamang Gibbons to the agreed species list it would permit further Siamangs to be housed at the Owl and Monkey Sanctuary. Members were advised that the relevant condition allowed the Local Planning Authority a degree of flexibility in stipulating the range and amount of species to be housed at the site. Given noise implications and the technicalities of the case, officers were satisfied that the Council would be reasonable to stipulate that no more than two Siamang Gibbons be permitted at the site.

RESOLVED:

- (i) THAT the concerns of the objectors with regard to noise from two Siamang Gibbons housed at the Owl and Monkey Sanctuary be noted.
- (ii) THAT material weight be given to the technical advice supplied by the Council's Environmental Health Department and that the addition of the Siamang Gibbons to the species list pursuant to condition 6 and accept that noise mitigation measures with respect to animal enclosures pursuant to condition 7 were not required be approved.
- (iii) THAT no more than two Siamang Gibbons should be permitted at the site at any one time.

The meeting then adjourned and reconvened on Thursday, 30 September 2010 in the Council Chamber, County Hall, Newport, Isle of Wight, commencing at 4.00 pm.

Present Cllrs Ivan Bulwer (Chairman), Reg Barry, Stuart Dyer, Paul Fuller, John Hobart, Richard Hollis, Julie Jones-Evans, David Knowles, Susan Scoccia, Arthur Taylor, Jerry White

Also Present (non voting) Cllrs George Brown, Edward Giles, Margaret Webster

Officers Present Mike Gildersleeves, Gareth Hughes, Julie Martin, Bill Murphy, Mathew Northard, Phil Salmon, Justin Thorne, Alan White, Andrew White, Sarah Wilkinson

Apologies Cllr Roger Dixcey

17. Declarations of Interest ([Recording 1](#) and [2](#))

Councillor Paul Fuller declared a personal interest in Minute 18 (5) – Land at Kingston, south of Cowes Power Station, west of Kingston Copse, Kingslea Park, East Cowes – as he was a member of Northwood Parish Council, who had raised an objection to the application. He was not present during the discussion or voting when it was discussed at the Parish Council meeting.

Councillor Arthur Taylor declared a personal interest in Minute 18 (5) – Land at Kingston, south of Cowes Power Station, west of Kingston Copse, Kingslea Park, East Cowes – as he knew the person speaking on behalf of East Cowes Town Council.

Councillors David Knowles, Reg Barry and Arthur Taylor declared a personal interest in Minute 18 (7) - Berrylands, Heathfield Road, Bembridge – as they knew Mr Gauntlett, who had previously been an elected member on the authority.

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

Planning Applications and Related Matters

Consideration was given to items 5 – 7 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/18291/P](#)

Details: Proposed concrete batching facility with associated ancillary facilities and re-grading of site; vehicular access (additional noise information)(revised plans)(readadvertised application)

Land at Kingston, south of Cowes Power Station, west of Kingston Copse, Kingslea Park, East Cowes, Isle of Wight

Site Visits: The site was visited by members of the Planning Committee on Friday, 24 September 2010.

Public Miss Joanna Buckley (Objector)

Participants: Mr Simon Walker (On behalf of East Cowes Town Council)
Mary-Jane O'Neill (Agent)

Additional Representations: Whippingham Parish Council asked for their concerns to be reiterated.

Further comments were received from Northwood Parish Council.

Three further letters of objection were received.

Comment: The local member, Cllr Edward Giles, spoke on this item.
The adjoining member, Councillor Margaret Webster, spoke on this item.
It was noted there was a typographical error within paragraph 6.10. The electricity pylon was approximately 50 metres not 150 metres.

Decision: The application was refused contrary to officer recommendation as members believed the development was out of character and keeping with the area.

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

For (9)

Cllrs Reg Barry, Stuart Dyer, John Hobart, Richard Hollis, Julie Jones-Evans, David Knowles, Susan Scoccia, Arthur Taylor, Jerry White

RESOLVED:

THAT the application be refused.

Reasons: The proposed development would also be contrary to Policies D1 (Standards of Design) and G4 (General Locational Criteria of Development) of the Isle of Wight Council Unitary Development Plan.

(Item 5)

Application: [TCP/26450/E](#)

Details: Residential development comprising six dwellings to include parking and access off Pier Road; courtyard and associated landscaping; new retaining wall for the Old Boathouse (revised scheme)(revised plans)(readvertised application)

Land adjoining, The Old Boathouse, Pier Road, Seaview, Isle of Wight

Site Visits: The site was visited by members of the Planning Committee on Friday, 24 September 2010.

Public Participants: Mr Christopher Daniel (Objector)
Diane Thomas Foxley (On behalf of Nettlestone and Seaview Parish Council)
Mr Chris Lancaster (Agent)

Additional Representations: Additional condition relating to Code for Sustainable Homes recommended if the application was approved.

Comment: In compliance with the Council's Constitution the local member, Cllr Reg Barry, did not vote.

Decision: The application was refused contrary to officer recommendation as members believed the rear part of the development was out of character and keeping with the area.

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

For (7)

Cllrs Stuart Dyer, John Hobart, Richard Hollis, Julie Jones-Evans, David Knowles, Susan Scoccia, Jerry White

Against (2)

Cllrs Ivan Bulwer, Arthur Taylor

RESOLVED:

THAT the application be refused.

Reasons: The proposed development would also be contrary to Policies D1 (Standards of Design) and G4 (h) and G4 (j) (General Locational Criteria of Development) of the Isle of Wight Council Unitary Development Plan.

PPS 5

(Item 6)

Application: [TCP/01272/H](#)

Details: Demolition of bungalow; proposed pair of semi-detached chalet bungalows with parking

Berrylands, Heathfield Road, Bembridge, Isle of Wight

Site Visits: The site was visited by members of the Planning Committee on Friday, 24 September 2010.

Public Participants: None.

Additional Representations: 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 7)

CHAIRMAN