



# Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and time	<b>TUESDAY, 29 JANUARY 2008 COMMENCING AT 3.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Ivan Bulwer (Chairman), Henry Adams, Wendy Arnold, William Burt, Charles Chapman, Mike Cunningham, John Hobart, Gill Kennett, Muriel Miller, Brian Mosdell, Lady Pigot, Susan Scoccia, Arthur Taylor, David Williams
Also Present (non voting)	Cllrs Barry Abraham, George Brown, Vanessa Churchman, Peter Humber, Heather Humby, Margaret Webster, Jilly Wood
Officers Present	Steve Cornwell, Keith Jolliffe, John MacKenzie, Julie Martin, Bill Murphy, Andrew Pegram, Wendy Perera, Phil Salmon, Justin Thorne, Andrew White, Sarah Wilkinson
Apologies	George Cameron

41. [Minutes](#)

**RESOLVED :**

THAT the Minutes of the meeting held on [18 December 2007](#) be confirmed.

42. [Declarations of Interest](#)

Cllr Susan Scoccia declared a personal and prejudicial interest in Minute 44 (e) (1 and 2) – Former Island Furnishings, 52-58 High Street, Ventnor - as her business supplied Tesco - she was not present during the discussion and voting thereon.

Cllrs Henry Adams, Charles Chapman, Muriel Miller and Arthur Taylor declared a personal interest in Minute 44 (e) (1 and 2) – Former Island Furnishings, 52-58 High Street, Ventnor – as they knew people who ran a shop in the vicinity.

Mr Andrew Pegram, Development Control Manager, declared a personal interest in Minute 44 (e) (1 and 2) – Former Island Furnishings, 52-58 High Street, Ventnor – as his wife worked for Tesco.

Cllr Gill Kennett declared a personal interest in Minute 44 (e) (3) – Hazelhurst, Gate Lane, Freshwater – as she knew the person speaking on behalf of the Parish Council.

Cllrs Henry Adams, Ivan Bulwer and David Williams declared a personal interest in Minute 44 (e) (4 and 5) - Land adjoining Scotland Farm and properties in Dubbers and Yarborough Close, Godshill - as the applicant was known to them.

Cllrs Brain Mosdell declared a personal interest in Minute 44 (e) (4 and 5) - Land adjoining Scotland Farm and properties in Dubbers and Yarborough Close, Godshill - as he had done business with the applicant in the past.

Cllr John Hobart declared a personal interest in Minute 44 (e) (4 and 5) - Land adjoining Scotland Farm and properties in Dubbers and Yarborough Close, Godshill - as the agent was known to him.

Cllr Susan Scoccia declared a personal interest in Minute 44 (e) (9) - Land between Boulders and 3 Undercliff Gardens, Ventnor - as all the public speakers were known to her.

Cllrs Henry Adams, Wendy Arnold, Charles Chapman and Arthur Taylor declared a personal interest in Minute 44 (e) (10) - 1 Culver Way, Sandown - as the person speaking on behalf of the Town Council was known to them.

Cllr David Williams declared a personal and prejudicial interest in Minute 44 (e) (11) – Brading Garage, 7 New Road, Brading - as he had recently undertaken work for the applicants architect - he was not present during the discussion and voting thereon.

Cllr Susan Scoccia declared a personal interest in Minute 44 (e) (14 and 15) - 62 Trinity Road, Ventnor - as the objector was known to her.

Cllr John Hobart declared a personal interest in Minute 44 (e) (14 and 15) - 62 Trinity Road, Ventnor - as he knew the person speaking on behalf of the applicant.

43. **Public Question Time**

A question had previously been submitted relating Minute 44 (d), a reply would be incorporated within the presentation and a formal response sent to the questioner.

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

(a) **Schedule of Planning Appeals as at 31 March 2007 – Q4 06/07**

The Committee was advised of the summary of planning appeals for the year ending 31 March 2007. The heavy schedule of the appeals was partly due to the fact that for part of 2007 the authority had been without a Planning Appeals Officer.

A query was raised relating to two appeals which had the same reference number and appeal start date but different appellants and different outcomes. The reason was, there had been an appeal against the service of an Enforcement Notice because there was more than one person who had an interest in the land. Notice was served on both parties.

It was noted that for the year ending 2006/07 the number of appeals allowed was approximately 27% which was roughly in line with the national average.

RESOLVED :

THAT the report be noted.

(b) Schedule of Planning Appeals as at 31 December 2007 – Q1, Q2 and Q3 07/08

The Committee was advised of the summary of planning appeals for the three quarters of 2007/08.

The number of appeals allowed had risen to 36% which was above the national average. It was believed the three main areas responsible for that were :

Design issues;  
Imminent introduction of new regulations relating to extensions to domestic properties;  
Infill plots.

RESOLVED :

THAT the report be noted.

(c) [Changes to Procedures for the Validation of Planning Applications – Proposed Isle of Wight Council 1 APP. \(New National Planning Application Forms\) Local Requirements](#)

Members were advised of the proposed national changes to the procedures for the validation of planning applications. A consultation exercise would be carried out on the proposed changes commencing on 4 February 2008 for a six week period. The consultation process was not a statutory requirement.

The changes were intended to streamline planning and make it more effective. A list of local requirements was needed which had to be selected from a nationally suggested list.

The change was originally to have taken effect from October 2007 but the new guidance had not been published until December 2007. The new introduction date was now 6 April 2008 although Councils could opt to go live before then if they chose.

RESOLVED :

THAT the proposed local requirements as set out in the matrix presented to members at the meeting be published for consultation with key stakeholders and that any comments received be referred back to the Planning Committee due to be held on 18 March 2008 prior to finalising the list of local requirements.

- (d) [P/0027/06 – Venture Quays, Trinity House Depot and Wharf, former North Works and to west of Sylvan Drive, Red Funnel Marshalling Yards, Public Conveniences, Well Road Car Park located in vicinity of Castle Street, East Cowes](#)

The Local member, Cllr Margaret Webster, spoke on this item.

A further five letters of objection had been received from residents of East Cowes, two of which were from residents of Church Path itself.

A letter of objection was received from the Isle of Wight Society via the East Cowes Heritage Centre.

A letter of support had been received from a local resident stating that Church Path should be used as long as there was traffic calming on Old Road.

It was reported that Church path would only take a proportion of traffic moving to or from the proposed housing development once it was fully complete. The Conservation Area status of Church Path had been fully taken into account and it was noted that the removal of the wall was not part of the proposed scheme.

The Committee was reminded that a resolution to grant outline planning permission for the regeneration of East Cowes was passed in July 2006. The resolution included a request by Members that condition compliance matters should also be reported back to the Committee.

Members' agreement was sought for the details of traffic management at Church Path and Well Road in East Cowes, details had been submitted for a traffic light controlled junction. A request had also been received that the Local Planning Authority consider and agree to discharge condition 39 of the Planning Permission, relating to highway arrangement in respect of Church Path.

SEEDA and English Partnerships had now offered a unilateral agreement that when the junction is complete and operative following the completion of the first phase of housing they would continue to monitor the use of the junction for a further year. When the road was completed it was intended that Isle of Wight Council as the Highway Authority would adopt the road take on the responsibility of management of the road. SEEDA and

English Partnerships would be paying for all monitoring on the use of the road.

The Highways Officer indicated that the pinch point reduced the width of the highway to 3 metres which did not meet the requirements for access by fire appliances.

The unilateral undertaking had been received and it outlined the commitment the SEEDA and English Partnership were offering :

- No construction traffic associated with the development would use Church Path for the duration of the construction of the development.
- Construction would be in accordance with the drawing.
- Materials and detailed design of the junction would be agreed with officers.
- Road would not be open to through traffic until the first phase of the residential scheme was complete which was believed to be in approximately 2013.
- Monitoring would give detailed information.

Members asked how the Council would ensure that the monitoring was carried out. The Head of Planning Services indicated that the unilateral undertaking was a land charge, which ran with the owner of the land. The Planning Department would undertake that within their monitoring role. The Committee was advised that if it became clear there was a substantive issue within months of opening as the Highway Authority the Council could take action.

RESOLVED :

THAT the proposed junction arrangements for Church Path be agreed subject to the prior completion of a unilateral undertaking in terms which were acceptable to the Local Planning Authority for the monitoring and review of the traffic flows and subject to Officers agreeing the materials to be used in the junction design.

(e) Planning Applications and Related Matters

Consideration was given to items 1 - 15 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.

(Cllr Susan Scoccia declared a personal and prejudicial interest in this item and left the room)

**Application:** [P/01514/07 - TCP/13798/E and P/01515/07 - CAC/13798/F](#)

**Details:** Former Island Furnishings, 52-58 High Street, Ventnor

Demolition of buildings; construction of 3/4 storey building to form retail at ground floor level with 9 flats over and basement parking for residential units

and

Conservation Area Consent for demolition of buildings in connection with construction of 3/4 storey building to form retail at ground floor level with 9 flats over and basement parking for residential.

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

**Public Participants:** Mr Nick Baker (Agent)

**Additional Representations:** Two letters from agents referred to the recently implemented Road Safety Audit confirmed that deliveries would be received through the main entrance of the shop and therefore cage marshalling on the footway would be minimal.

The applicant confirmed they were willing to provide a Puffin Crossing rather than a Zebra Crossing. Conditions to be timed to enable early demolition of the buildings due to poor condition.

Agents confirm prepared to relocate street furniture following a Road Safety Audit. Delivery vehicles would be limited to 14.25 metres in length and would be routed via the High Street.

**Comment:** As the local member was on holiday a statement was read out on behalf of the Local residents.

Officers to consult the Local member and Town Council prior to discharging condition in respect of the store management plan.

It was noted that some of the works being proposed were on Highway land, Condition 15 to be amended to include that those works should be subject to a S.278 Agreement with the Authority.

**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 both applications be granted Conditional Permission.

**Conditions:** Condition 15 to be amended to include a S.278 Agreement.

As per report (Items 1 and 2 )

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(During the presentation, Cllr Charles Chapman declared a personal and prejudicial interest, due to his involvement with Julia Margaret Cameron Trust, and left the room).

**Application:** [P/01636/07 - TCP/10509/F](#)

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

Demolition of building; residential development comprising 2/3 storey block of 9 flats and two houses with parking (revised scheme) (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 Steven Gray (Freshwater Parish Council)

**Additional Representations:** An additional letter had been received from Island Watch objecting to the demolition.

**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 refused.

**Reasons:** As per report (Item 3)

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**Application:** [P/02871/07 - TCP/09568/L and P/01790/07 - TCP/09568/K](#)

**Details:** Land adjoining Scotland Farm and properties in Dubbers and Yarborough Close, Godshill

Variation of condition No. 3 on TCP/09568/J to include revised layout

and

Demolition of redundant farm outbuildings; proposal for 'Continuing Care Community' - a development consisting of a nursing care home, 43 extra care cottages, 30 extra care apartments, associated specialist indoor facilities, health care consulting rooms, day care facilities, restaurant, crèche, outdoor recreation/leisure facilities; formation of vehicular access, pedestrian footpath links and provision of parking (AORM)

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

**Public Participants:** Mr M Flux (Applicant)

**Additional Representations:** A letter of objection was received from a local resident who raised concerns relating to traffic.

A letter from the agent commenting on objections relating to access.

**Comment:** The Local Member, Cllr Jilly Wood, spoke on this item.

It was agreed that details of off site highway works should be agreed in consultation with the local member.

**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 both applications be granted Conditional Permission.



**Conditions:** Condition re renewable energy to be added if not covered in the Outline Permission.

As per report (Items 4 and 5 )

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**Application:** P/01821/07 - TCP/10563/T

**Details:** Site of Craven Court Hotel, 5 Highfield Road, Shanklin

Demolition of extension; alterations and change of use from hotel to dwelling; 2/3 storey extension to form 9 flats

**THIS APPLICATION WAS WITHDRAWN BY THE APPLICANT**

(Item 6)

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**Application:** [P/02701/07 - TCP/27238/C](#)

**Details:** Sans Souci, Main Road, Havenstreet

Demolition of buildings; outline for residential development of thirty units and one retail unit; vehicular access and parking.

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

**Public** Mr Watts (Objector)

**Participants:** Mr Paul Airey (Agent)

**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 refused.

**Conditions:** As per report (Item 7)

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(During the debate, Cllr Brian Mosdell declared a personal and prejudicial interest as he had experience of nuisance and noise disturbance as described by the Local Member, Cllr P Humber, and left the room).

**Application:** [P/02326/07 - TCP/21952/J](#)

**Details:** J Sainsbury plc, Foxes Road, Newport

Variation of condition no. 19 on TCP/21952/C to allow extension to store delivery hours.

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

**Public Participants:** Mr David Lowin (Agent)

**Additional Representations:** One further letter of objection had been received.

**Comment:** The Local Member, Cllr Peter Humber, spoke on this item.

**Decision:** The application was refused contrary to officer recommendation as members believed there was potential detrimental impact on nearby residents.

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

**For (8)**

Cllrs Henry Adams, Wendy Arnold, Ivan Bulwer, Bill Burt, John Hobart, Gill Kennett, Muriel Miller, David Williams

**(Against (4)**

Cllrs Charles Chapman, Mike Cunningham, Lady Pigot, Arthur Taylor

**Abstention (1)**

Cllr Susan Scoccia

**Reasons:** There was potential detrimental impact on nearby residents by virtue of noise and other disturbance.

(Item 8)

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<b>Application:</b>	<a href="#">P/01288/07 - TCP/11327/G</a>
<b>Details:</b>	<p>Land between Boulders and 3 Undercliff Gardens, Ventnor</p> <p>Retention of dwelling as built, shed/summer house, pergola and changes to ground levels (further revised plans) (further revised description) (readvertised application).</p>
<b>Site Visits:</b>	The site was visited by members of the Planning Committee on Monday, 28 January 2008.
<b>Public Participants:</b>	<p>Mr Don Prescott (Objector)</p> <p>Mrs Brenda Lawson (Ventnor Town Council)</p> <p>Mr Michael Jennings (Applicant)</p>
<b>Additional Representations:</b>	<p>The Planning Inspector's decision letter, dated 30 March 2007 and referred to in the report was circulated prior to the meeting.</p> <p>The main differences between the approved scheme and the current application were outlined.</p>
<b>Comment:</b>	In compliance with the Council's Constitution the local member, Cllr Susan Scoccia, did not vote.
<b>Decision:</b>	<p>The application was refused contrary to officer recommendation as members believed the building was not in keeping with the area and there was potential overlooking on neighbours. Members also authorised enforcement action to return the building back to the previously approved scheme.</p> <p>In compliance with the Council's Constitution a named vote was taken as the decision was contrary to officer recommendation.</p> <p><b>For (13)</b></p> <p>Cllrs Henry Adams, Wendy Arnold, Ivan Bulwer, Bill Burt, Charles Chapman, Mike Cunningham, John Hobart, Gill Kennett, Muriel Miller, Lady Pigot, Arthur Taylor David Williams</p>
<b>Reasons:</b>	The building was not in keeping with the area and there was potential overlooking on neighbours. (Item 9)

**Application:** [P/01685/07 - TCP/08152/D](#)

**Details:** 1 Culver Way, Sandown

Demolition of bungalow; detached chalet bungalow and pair of semi-detached houses; creation of vehicular accesses off Culver Way and Meadow Way and parking (further revised scheme) (readvertised application).

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

**Public Participants:** Mr David Tarry (Objector)  
Mr G James (Objector)  
Mr Bob Blezzard (Sandown Town Council)

**Additional Representations:** Three further letters had been received.

**Comment:** The Local Member, Cllr Heather Humby, spoke on this item.

**Decision:** The application was refused contrary to officer recommendation as members believed it was out of character and would create a precedent.

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

**For (9)**

Cllrs Henry Adams, Wendy Arnold, Bill Burt, Mike Cunningham, John Hobart, Gill Kennett, Muriel Miller, Susan Scoccia, David Williams

**(Against (3)**

Cllrs Ivan Bulwer, Lady Pigot, Arthur Taylor

**Abstention (2)**

Cllr Charles Chapman, Brian Mosdell

**Reasons:**

- (i) The position, size, design and external appearance would be intrusive, out of scale and character and would adversely affect the street scene.
- (ii) The proposal would create an undesirable precedent.

(Item 10)

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

**Application:** [P/02082/07 - TCP/05621/H](#)

**Details:** Brading Garage, 7 New Road, Brading

Demolition of commercial garage; construction of two/three storey block of seven flats with associated parking and alterations to vehicular access (revised scheme) (revised plans) (readvertised application).

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

**Public Participants:** Mrs Ann Linacre (Objector)

Mrs Marianne Sullivan (Brading Town Council)

**Additional Representations:** One letter had been received from the applicant addressed to the Chairman and Committee Members.

**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 11)

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**Application:** [P/02190/07 - TCPL/00922/G and P/02191/07 – LBC/00922/H](#)

**Details:** 33 High Street, Wootton Bridge

LBC for conversion of building into 2 dwellings; construction of pair of semi-detached houses with single storey glazed link to existing building.

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

**Public Participants:** Mr Martin Hayles (Agent)

**Additional Representations:** The agent had submitted a revised layout plan after undertaking a further survey of the site.

The applicant confirmed he had a right of way over the footpath between the site and the public car park off Brannon Way.

**Comment:** The Local member, Cllr Barry Abraham, spoke on this item.

Members wanted to ensure that stringent conditions were added to safeguard the listed building fronting the High Street during construction. Planning legislation allows for a financial guarantee to ensure the development takes place strictly in accordance with the scheme.

**Decision:** The application was approved contrary to officer recommendation as members believed the listed building should be restored and made habitable.

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

**For (13)**

Cllrs Henry Adams, Wendy Arnold, Ivan Bulwer, Bill Burt, Charles Chapman, Mike Cunningham, John Hobart, Gill Kennett, Muriel Miller, Brian Mosdell, Lady Pigot, Susan Scoccia, Arthur Taylor David Williams

**Conditions:** Conditions from the Conservations Officer relating to the building fronting the High Street.

Delegate to officers an agreement of a financial guarantee with the applicant and subject to securing that add it to the Decision Notice, if that fails then the application be brought back to the Committee.

Look to ensuring that the work commences on the front building in advance of any work on the rear.

Time limit for commencement of work be reduced to one year.

(Items 12 and 13)

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**Application:** [P/02702/07 - TCP/28755/A and P/02707/07 - CAC/28755](#)

**Details:** 62 Trinity Road, Ventnor

Conservation Area Consent for demolition of bungalow in connection with construction of terrace of four houses with parking and alterations to vehicular access

and

Demolition of bungalow; construction of terrace of four houses with parking and alterations to vehicular access

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

**Public Participants:** Mr David Collard (Objector)  
Mr Michael Edwards (Objector)

Mr Glen Hepburn (On behalf of the applicant)

**Additional Representations:** An e mail had been received questioning whether the applicant was the owner of the site more than 21 days prior to the submission of the application as implied by the completion of the ownership certificate (Certificate A).

One letter had been received from a local resident.

**Comment:** A statement was read out on behalf of the Local Member.

The Committee was advised that a decision notice would not be issued until 31 January 2008 at the earliest. Due to issues relating to certification of 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 the application be deferred.

**Conditions:** (Item 14 and 15)

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CHAIRMAN