

**THE CALL IN PERIOD FOR THIS DECISION EXPIRES AT 4.30PM ON FRIDAY,
18 JANUARY 2008. THE DECISION CANNOT BE IMPLEMENTED UNTIL AFTER
THAT DATE.**

RECORD OF DECISION TAKEN UNDER DELEGATED POWERS AT COUNTY HALL,
NEWPORT, ISLE OF WIGHT ON FRIDAY, 11 JANUARY 2008

Present : Cllr G Brown, Cabinet Member for Economy, Planning and Property
Mrs April Ross, Committee and Scrutiny Team

Item	<u>PROPOSED EAST COWES CENTRE CONSERVATION AREA DESIGNATION</u>
Decision reference	48/07
Decision taken	<p>Option (A) - To designate the area shown on the attached Plan 1 as a conservation area and to adopt the appraisal document; and</p> <p>Option (B) - To make an Article 4(2) Direction in relation to the land shown in the attached Plan 1 removing the permitted development rights as detailed in Appendix 1 of this report.</p>
Reasons for decision	<p>To designate parts of East Cowes as a conservation area, and approve the character statements, in accordance with national policy (Planning Policy Guidance note 15: Planning and the Historic Environment (PPG15)), The Planning (Listed Buildings and Conservation Areas) Act 1990 and to meet the corporate objective of being a high performing, cost effective Council.</p> <p>To make an Article 4(2) Direction in the Conservation Area under Article 6 of the Town and Country Planning (General Permitted Development) Order 1995 to help manage the Island's historic environment in line with The Planning (Listed Buildings and Conservation Areas) Act 1990 and in the manner of a high performing, cost effective Council.</p>
Additional reasons	<p>The designation as a conservation area brings more proposals under planning control, securing a higher quality of design for East Cowes and facilitating the retention of cherished features (whether this is trees, stone walls or buildings) being protected from demolition, for the benefit of visitors and locals alike, now and into future generations.</p> <p>Making a direction under Article 4(2) of the Town and Country Planning (General Permitted Development) Order will help protect features that are key elements of the town's special interest. The Article 4(2) brings proposals permitted elsewhere e.g. the removal of a porch, under planning control.</p>

Option considered and rejected	Option (C) - to resolve not to take any action.
Declarations of interest	None Declared.
Additional advice received	<p>The costs of consultation, advertising and notification have been covered by existing/proposed budget allocations.</p> <p>The risk to the Council of successful claims for compensation under Section 108 of the Town and Country Planning Act 1990 is relatively low as there does not seem to be any recorded case of a successful claim against the type of restrictions proposed at East Cowes. However, the Lands Tribunal has made awards regarding the loss of 14 day temporary use of land, the loss of rights to divide land by the erection of fences to sell as plots and the removal of agricultural permitted development rights to erect buildings.</p> <p>That the procedure for confirming the Article 4(2) Direction will be by officer delegated decision if no representations are received; and by Cabinet Member delegated decision if representations are received.</p>