



# Minutes

Name of meeting	<b>PLANNING COMMITTEE</b>
Date and time	<b>TUESDAY, 5 MARCH 2019 COMMENCING AT 4.00PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Chris Quirk (Chairman), Reg Barry, Michael Beston, George Cameron, Vanessa Churchman, Steve Hastings, John Howe, John Kilpatrick, Matthew Price, Brian Tyndall, Shirley Smart
Also Present (non voting)	Cabinet Member for Planning and Housing: Cllr Barry Abraham (non voting), Cllr Dave Stewart, Cllr Wayne Whittle
Officers Present	Chris Ashman, Oliver Boulter, Russell Chick, Ben Gard, Maisy Green, Sarah Wilkinson

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1. [Minutes](#)

RESOLVED:

THAT the Minutes of the meeting held on 11 December 2019 be confirmed.

2. [Declarations of Interest](#)

Councillor Jones-Evans declared an interest in item 3 as she was a member of BSE.

Councillor Cameron declared an interest in item 5 as he knew the applicant.

Councillor Quirk declared an interest in item 6 as he knew both the applicant and the objector. The application was also located within his ward.

Councillors Beston, Cameron and Price all declared an interest in item 6 as they knew the applicant.

3. [Public Question Time](#)

One written question was received; however, the question was not accepted as it was based on an agenda item.

There were no oral questions.

#### 4. **Report of the Director of Neighbourhoods**

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

Consideration was given to items 1 - 6 of the report of the Director of Neighbourhoods.

##### 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:**

[P/01131/18 and P/01132/18](#)

##### **Details:**

Demolition of rear hotel extensions (including ancillaries) and East Cottage; proposed two storey extension to the existing hotel and internal alterations to existing structure; conversion, alteration and refurbishment of existing outbuildings to provide 14 hotel suites, a restaurant, bar and spa, provision for up to 56 holiday lodges, 10 tree houses and 12 woodland retreats, removal of existing yurts; provision of gym, village barn, farm shop, welcome barn and internal access roads and parking; relocation of the existing swimming pool; drainage and attenuation ponds and landscape planting.

and

LBC for demolition of rear hotel extensions (including ancillaries) and East Cottage; proposed two storey extension to the existing hotel and internal alterations to existing structure; conversion, alteration and refurbishment of existing outbuildings to provide 14 hotel suites, a restaurant, bar and spa, provision for up to 56 holiday lodges, 10 tree houses and 12 woodland retreats, removal of existing yurts; provision of gym, village barn, farm shop, welcome barn and internal access roads and parking; relocation of the existing swimming pool; drainage and attenuation ponds and landscape planting.

Priory Bay Hotel, Priory Road, Seaview, Isle of Wight PO34 5BU.

##### **Site Visits:**

The site was visited by members of the Planning Committee on Friday, 1 March 2019.

##### **Public Participants:**

Maureen LeRoi (Objector)  
Michael Lyons (Objector)  
Christopher Legge (Objector)

Town and Parish Council Representative  
Mr David Long (Agent)  
Councillor Reg Barry (Local Member)

**Additional Representations:**

The Badger Trust have provided further comment confirming their objection to the application. They have highlighted the presence of a badger sett on site and are not satisfied with the mitigation proposed.

Natural England have provided further comment on the matter of badgers on site, confirming that they are satisfied that an appropriately worded condition and informative regarding the need for a licence from Natural England would ensure that there would be no unacceptable impact on badgers.

A petition has been started online via a website called change.org and circulated via Facebook asking people to sign to protect Priory Bay. At the time of writing the petition had reached 4,383. The petition front page has been addressed to Councillors and copied to officers. The author of the petition states in the e-mail that; "We very much hope you will act on our requests and put conditions on the permissions to protect the woodland for its own sake, but also for the locals and visitors who love this precious beach, and for the long-term sustainable tourism and development of the Island". The petition asks the planning committee to:

- Reject the development of the 10 treehouses that are located in Priory Woods on the basis that this is ancient semi-natural woodland, of national importance in close proximity (within 15 metres) to the Priory Woods SSSI.
- Closely consider the perspectives of the Parish Council and Island Roads in reducing the density of the proposed development, especially the chalets and lodges.
- Prioritise safeguarding the ecology of this unique area for the long-term future, rather than short term economic benefit, in line with the sustainable development goals laid out in the Island Plan.

A letter has been received from the Solent Protection Society who have commented that they consider the tree houses would be incongruous to the setting. Although recognising that this application has, in many of its aspects, real merit, improving the site, bringing employment to the Isle of Wight and doing so in a manner which has architectural merit. The proposals, as they extend into Priory Woods with the building of the Tree Houses however, is a step too far and to this extent the application should be refused or deferred until the tree houses are removed from the application. They request that should the committee consider that the tree house proposals are acceptable in principle then they urge the committee to limit the tree house aspect of the application to 5 units and strengthen conditions nos. 28 and 29, with the addition of the words 'and should seek to ensure that a tree screen between the tree houses and the view from the sea is created'.

The Woodland Trust have provided comment on the application outlining that The Trust notes the presence of a significant number of veteran trees within the site boundary of this development, as outlined in the Tree Survey. Whilst the Trust acknowledges that these trees will be protected in line with BS 5837:2012, these trees are veteran specimens and as such should be afforded root protection areas of 15x the stem diameter (or 5m beyond the canopy if that's greater).

Ten additional comments have been received from third parties raising points that can be summarised as follows:

- Impact on the beach and ancient woodland
- Impact on the designations and the beach from increased visitor numbers
- Overdevelopment
- Report disregards concerns raised by tree and ecology officer
- Priory hotel previously employed 100 staff, so the proposals would only see a 25% increase, and these would be low skilled/low paid. The benefits would therefore be negligible.
- Risk of coastal erosion
- Impact on wildlife
- Loss of ancient trees
- Overpopulation of beach and surrounding roads
- Traffic generation at an extremely dangerous access point
- Highway safety
- No alignment with local communities e.g. medical services
- Insufficient details available on construction plan
- Insufficient protection measures on future changes to resist increased development on the site
- Has the application been sent to the Secretary of State?
- Request to view internal consultee comments
- Natural England comments are not displayed on the Listed Building Consent
- No cost benefit analysis of income to the Island V's damage to the environment.

Officers did not consider that the original report made it sufficiently clear that together with the comments on the planning application a specific letter of support and a letter of objection was received to the Listed Building Consent (LBC). The Parish Council also objected to the LBC on the grounds similar to that of the planning application. The other 8 comments received in respect of the LBC actually relate to the planning application.

The agent has provided a response to the report to clarify a number of points. The comments respond to relevant sections of the report, and are summarised below:

2.1. Upgrade landscaping across the site having both mitigation and enhancement. This includes:

- Formal landscape areas; inclusive of between 50 – 70 standard size native trees
- A new woodland covering 1.72ha. The following would apply to the densities of planting:
  - At forestry commission densities (which range between 1.5m to 2m c/s depending on species), at the upper level this woodland would deliver 4,300 new native trees and shrubs.
  - At 5m c/s this would equate to 3440 new trees and shrubs.
  - At 10m c/s this would equate to 1720 trees and shrubs.
- A Woodland Management Plan; leading to the eradication of non-native species and the management and planting of new native species, offering biodiversity improvements

- A Biodiversity Mitigation and Enhancement Plan offering significant net improvement over existing baseline ecological conditions on site.
- 2.11. The 14 guest suites are not self-catering but would rely on food and beverages supplied by the hotel. They do offer a small kitchenette similar to modern hotel suites.
- 6.2. It is not correct that the tourism offer has diminished for some years due to a lack of investment. The demise of the hotel was considered to be a consequence of many critical challenges outlined below:
- Insufficient accommodation (and without significant variance) to cover high overheads
  - Variable accommodation, giving a mixed presentation to guests.
  - High maintenance costs for the listed building and estate grounds
  - High seasonality
  - Lack of local business spending
  - Higher transport costs
  - Lack of leisure and recreational facilities
- 6.24. The tree houses would not be highly visible from the listed building, as they make use of the topographical changes. The new native woodland edge would screen the treehouses as to only offer a glimpse.
- 6.64. 6.82. 20 trees are set to be removed [excluding the self-seeded sycamores in the woodland]; none of which are grade A. For the avoidance of doubt the arboreal mitigation and benefits are outlined about in response to section 2.1.
- 6.88. Contrary to Island Roads suggestion tow vehicles can pass without constraint at the access point with Eddington Road (photograph provided).
- 6.96. 6.100. If consent were granted there is a desire to commence works in summer 2019; with the majority of works aimed for completion by summer 2020.
- 6.101. It is noted that the report does not discuss the methods to deal with foul waste disposal (directed to the foul main) and surface waters to the attenuation ponds. Surfaces waters will not increase the greenfield rate run off; ensuring compliance in FRA terms.

**Comment:**

There were three objectors who raised concerns about the Tree Houses and the impact these would have on the woodland, the landscape and the environment. The increase in traffic on the surrounding roads and the current lack of infrastructure in place was also raised.

Nettlestone and Seaview Parish Council agreed that the current site needed improvement, however it was thought that this application was over development of the site. Potential subsidence was raised along with the increase in traffic on the surrounding roads.

The local member raised various concerns and suggested that the decision be split into two parts; the application minus the tree houses and then the tree houses on their own.

Members of the committee all welcomed the proposed development of the site, it was thought the it was much needed and that the current state of the site was sad to see. However, various concerns from the majority of members were raised in regard to the

tree houses and the impact these would have on the woodland, the landscape and the surrounding environment. The question of splitting the decision as suggested by the local member was put to officers. Planning officers confirmed that this could be done as the different elements of the scheme could be separated.

The Cabinet Member for Planning and Housing welcomed the proposed development and hoped that the committee would recognise the greatness of the potential project. It was thought that the project was a great example of a regeneration project and that the size of the investment was great for the Island and its residents. It was noted that the potential tree houses would tie in well with Eco Island and Eco Tourism for the Island.

**Decision:**

The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under the paragraph entitled Justification for Recommendation of the report. However, it was agreed that the decision be split into two parts;

1. Approve the planning application in line with officer recommendation not including the application for the tree houses
2. Refuse the planning application for the tree houses

**RESOLVED:**

THAT planning permission be granted in line with officer recommendation for all elements of the proposed development with the exception of the 10 tree houses.

THAT planning permission be refused for the 10 tree houses for the following reasons.. The proposed tree houses and associated construction processes would impact on the landscape character of the wooded coastline as viewed from the beach and sea, impacting upon the existing unspoilt character as well as resulting in a loss of and impact on trees. Contrary to policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

A named vote was taken the result of which was as follows:

For: Cllrs Beston, Cameron, Churchman, Hastings, Howe, Jones-Evans, Price, Smart, Tyndall

Against: Cllrs Kilpatrick, Quirk

In respect of item 2 (the LBC):

Officers recommended a change to the description, before the vote was taken, to remove reference to all development which did not actually require listed building consent, to avoid confusion. The would see the removal of reference to conversion, alteration and refurbishment of existing outbuildings to provide 14 hotel suites, a restaurant, bar and spa, provision for up to 56 holiday lodges, 10 tree houses and 12 woodland retreats, removal of existing yurts; provision of gym, village barn, farm shop,

welcome barn and internal access roads and parking; relocation of the existing swimming pool; drainage and attenuation ponds and landscape planting.

**RESOLVED:**

THAT the listed building consent be approved in line with officer recommendation but subject to the revised description.

**Conditions:**

As per report (Item 1 & 2) and the following amendments:

Officers recommended that condition 26 on item 1 is amended to read as follows:

**26.** Prior to the commencement of any development associated with the construction of the lodges on site a plan that sets out details of badger sett exclusion, temporary mitigation and long-term operational disturbance mitigation measures shall be submitted to and approved in writing by the local planning authority. Works shall be undertaken in accordance with the agreed details.

**Reason:** In order to ensure that the development has an acceptable level of ecological impact and provides sufficient mitigation, and to accord with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Officers also recommend that the following informative is included on any decision for clarity:

*You will be required to contact Natural England to gain a license for any work undertaken within 20 meters for the identified badger sett on site.*

Officers acknowledge the petition but would wish to highlight that the details of the application are not available on the petition website to the individual clicking their support for the petition. For clarification officers would highlight that the application does not propose any works within the ancient semi-natural woodland. All of the proposed development is outside of this designation and a minimum of the required 15 meters away. The only trees to be removed in the woodland are those that are self-seeded, the majority of which are sycamore.

Officers wish to highlight that the comments of the tree officer have not been disregarded. They are set out within the report. The comments have been considered very carefully, amendments made and conditions recommended. Although the objection from the tree officer remains the recommendation is based on a balance between these impacts and the socio-economic and heritage benefits associated with the proposed development. Neither the ecology officer or Natural England have objected but recommend conditions.

The impact on the designations from increased visitor numbers has been carefully considered by both officers and Natural England. The proposed boardwalk should direct visitors through the woodland to reduce impact on the ground cover, while the application is fully according with the Supplementary Planning Document for the Solent Special Protection Area and paying the required contribution towards the mitigation of

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recreational pressure. Furthermore, a condition has been recommended to require the submission of visitor management plan.

The Shoreline Management Plan identifies that there is coastal erosion in this area of the Island. The existing defenses are not providing protection to the slope and the plan proposes no active intervention. The majority of the development would be away from the coastal slope and around the existing developed footprint of the hotel complex. The tree houses are located on the coastline of the site, but these are considered to be relatively simple structures/buildings, that are relatively lightweight. The construction of these resulting in limited disturbance and low impact due to the proposed use of screw piles. The application does not seek to undertake any further protection of this coastline. The structures themselves are construction on site from a kit and can therefore be dismantled should they need to be removed in the future to react to coastal changes. The structures/building themselves have a life of around 20 years. They would also require building regulations, which would further consider this issue.

Officers consider responses to the other points raised are already contained within the report and do not recommend any further changes to the recommendation.

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Councillor Julie Jones-Evans had left the room for this item as she had declared an interest and did not attend the site visit.

**Application:**

[P/01413/18](#)

**Details:**

Demolition of buildings; construction of six houses (revised scheme).

23 Medina Avenue, Newport, Isle of Wight PO30 1EL.

**Site Visits:**

The site was visited by members of the Planning Committee on Friday, 1 March 2019.

**Public Participants:**

Mr Matt Richards (Agent)

**Additional Representations:**

Following publication of the report the agent provided additional information on Flood Risk, which was required by condition. This has now been examined by the Council's Emergency Management Team who have confirmed that the condition is no longer required in its current form.

**Comment:**

Members of the committee were happy with the application and the report provided by officers. There were no concerns raised.

**Decision:**

The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under the paragraph entitled Justification for Recommendation of the report and

**RESOLVED:**

THAT the application be approved in line with the recommendation.

**Conditions:**

As per report (Item 3) and the following amendments:

Considering the additional information, officers thought condition 10 should be reworded to read:

10. The Flood Warning and Evacuation Plan shall be adhered to on site in perpetuity.

Reason: To reduce the risk to life of the occupants of the development and to comply with the NPPF and policies SP5 and DM14 of the Core Strategy.

The previous application attracted a similar comment from the badger trust. Officers concluded that the development would not result in the loss of the sett and working in proximity would require a licence, which would be dealt with under separate legislation. Officers therefore consider that this does not represent a limitation to development with mitigation being possible. This position is unchanged.

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Councillor Price left the room for the remainder of the meeting as he had not attended the site visits.

**Application:**

[P/00983/18](#)

**Details:**

Proposed detached residential dwelling with parking.

Land off, Church Hill, Godshill, Ventnor, Isle of Wight PO38

**Site Visits:**

The site was visited by members of the Planning Committee on Friday, 1 March 2019.

**Public Participants:**

Mr David Long (BCM) (Agent)  
Councillor Rodney Downer (Local Member)

**Additional Representations:**

There were no additional representations received.

**Comment:**

The local member advised that the site was located within a conservation area. Concerns were raised about increased traffic and the visibility at the junction off School Road, drainage and the effect on the character and appearance of the surrounding area.

Members sought clarification from the highways officer in regard to the junction, concerns were raised about the issue of a new build in a conservation area. It was confirmed by Island Roads that the junction had been re-modelled and that the speed limit had now been reduced. Planning officers advised that the new build would

contribute to the conservation area, that the Conservation Officer had not objected to the proposals, that the design approach was to reflect the agricultural character of the site and that the site would remain in the conservation area.

**Decision:**

The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under the paragraph entitled Justification for Recommendation of the report and

**RESOLVED:**

THAT the application be approved in line with the recommendation.

**Conditions:**

As per report (Item 4)

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**Application:**

[P/00823/18](#)

**Details:**

Outline application for up to a maximum 66 dwellings with associated roads, parking and open space with access only off Newport road.

Land to the rear of 391, Newport Road, Cowes, Isle of Wight PO31

**Site Visits:**

The site was visited by members of the Planning Committee on Friday, 1 March 2019.

**Public Participants:**

There were no public speakers.

**Additional Representations:**

Southern Water have confirmed that there is a public water trunk main within the site, the exact position of which would need to be determined before the final layout is finalised. A condition is therefore recommended to protect the main. The letter confirms that they can provide foul sewage disposal to service the proposed development but recommend a condition should the proposal include a pumping station.

A further comment has been submitted objecting to the application. The comments relate to specifics of the layout; including concerns with regards to potential overlooking from the two storey houses adjacent to Oxford Street and the footprint of dwellings.

Northwood Parish Council have provided further comments raising additional objections on the following grounds:

- Core Strategy is out of date. It should be reviewed and approved two years ago.
- The application site is included within the consultation draft of the Island Planning Strategy. To approve the application now would be contrary to the principle of the consultation process. The application is therefore premature.

- At the last committee it was suggested that a “full” ecological report had been undertaken. The report was actually a preliminary ecological assessment.
- Island Roads report dated 28 November is disingenuous and the facts have been misrepresented. The Parish Council contest the figures presented as AM and PM peaks as the daily trips should not be divided by 8 to give an average number throughout the day.
- Safety audit was desk-based study not a roadside study and a site visit undertaken on a Saturday
- Turning south out of the proposed exit will be fraught with difficulty and dangerous at certain times.
- Concerns over insufficient capacity at the medical centre raised at the last committee was ignored by the committee.
- Scheme would dramatically change the visual appearance and character of the area.
- The space represents an important physical and visual gap in its frontage and would contribute to coalescence of Northwood and Newport.
- If approved the Parish Council request a contribution toward the removal. destruction of the tubs and planters in the vicinity of the site, which were only replaced/refurbished in 2018.

**Comment:**

Committee members raised concerns about the reduction in access to the site and questioned why the access at the Southern point had been removed over the North. It was suggested by members that the current traffic lights be relocated to the access point to help traffic. It was advised by Island Roads that the Northern access provides the opportunity for a dedicated right-hand lane, whereas the southern access location does not. It was confirmed that the capacity layout was compliant, and that signalisation was not required.

**Decision:**

The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under the paragraph entitled Justification for Recommendation of the report and

**RESOLVED:**

THAT the application be approved in line with the recommendation.

**Conditions:**

As per report (Item 5) and the following amendments:

Officers recommended that condition 2 is amended to read as follows:

2. Approval of the details of the siting, design and external appearance of the building(s) and the landscaping of the site (hereafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced. The siting shall account for the positioning of the public water supply main and protect it accordingly.

As the application is for outline only these matters are not considered to be relevant to the current considerations and could be overcome at the detailed design stage.

It is considered by officers that these matters are covered in the officer report with the exception of the matter of a financial contribution to the planters. In this regard officers do not consider it reasonable to take a contribution. However, the landscaping of the site, which could include the relocation of these planters can be considered at detailed design stage.

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### **Procedure Rule 25**

All members of the committee voted to extend the meeting for one hour.

Councillors Quirk (Chairman), Beston and Cameron all left the room for item 6.

Members of the committee had to propose a new chair as both the chairman and the vice chairman had left the room. Members of the planning committee proposed that Councillor Tyndall take the chair for item 6. All members agreed, Cllr Tyndall moved to the chair.

### **Application:**

[P/01388/18](#)

### **Details:**

Proposed detached dwelling with access and parking (revised scheme)

Land adjacent, 36 Blythe Way, Shanklin, PO37

### **Site Visits:**

The site was visited by members of the Planning Committee on Friday, 1 March 2019.

### **Public Participants:**

Mr N Welch on behalf of Stephanie Welch (Objector)

Mr Glen Hepburn (Agent)

### **Additional Representations:**

There were no additional representations.

### **Comment:**

The objector raised concerns about visibility from the road and requested the application to be deferred until the matter currently with land registry had been finalised.

The legal representative advised members that the matter of land ownership is not a matter for consideration and that adverse possession procedures are not a matter for the Isle of Wight Council.

Officers highlighted the fact that the area was already heavily developed and that due to the topography of the area, there were existing examples of dwellings in more elevated areas. Officers advised that the scale and height of the dwelling had been reduced following the previous committee refusal and that this particular application would not have an adverse effect on the landscape due to scale and mass.

Members appreciated the reduction in the size of the proposed development, it was thought that the houses located behind the site would in fact have more of an impact than this application.

**Decision:**

The Committee had taken into consideration and agreed with the reasons for the recommendation as set out under the paragraph entitled Justification for Recommendation of the report and

**RESOLVED:**

THAT the application be approved in line with the recommendation.

**Conditions:**

As per report (Item 6)

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Councillors Quirk (Chairman), Beston and Cameron all returned to the room.

Councillor Quirk moved back to the chair.

5. **Members' Question Time**

No written questions were received.

The chairman allowed the following oral questions:

Councillor Julie Jones-Evans asked whether there had been any link trips from ASDA into the town centre.

It was advised by planning officer that a formal response would be provided, however they could confirm that link trips would not be monitored by the Isle of Wight Council.

CHAIRMAN