

Application Ref No: 20/01087/FUL

Recommendation: Approval

Decision Type: Delegated

Delegated Report Type: Part 1A

Principal Considerations

The main issues in considering this proposal are:

- Impact on the character of the area
- Impact on neighbouring properties
- Highway considerations

Details of Applications

Construction of 9 eco-pods for tourism use

This proposes holiday units similar to those approved under P/01410/16, but reduced now from 10 to 9 with the parking area moved along (to the west), further away from the Wishing Well building.

Compared to the previously approved units, these units would have slight changes, including:

- An additional door to the rear of each holiday unit (replaces a window) – this is due to Building Regulations;
- Slight change to the curve of each unit (making them slightly more square);
- Removal of the toilet block from the site.

There would be two styles (one with 2 bedrooms, one with 3) as follows:

- Plots 2, 3 would have 2 bedrooms
- Plots 4 and 5 would have 3 bedrooms
- Plots 6, 7, 8, 9 and 10 would have 2 bedrooms

Location and Site Characteristics

Land Rear Of And Adjacent To Wishing Well Public House Pondwell Hill Nettlestone Isle Of Wight

Relevant History

20/00438/FUL - Proposed new winery with manager's accommodation over. This relates to a proposed building to the north of the site (utilising part of the application site approved under P/01410/16, effectively where Plot 1 – Refused – 06/05/2020. Reasons for refusal:

1. The proposal, by virtue of the development's location, size, mass and design and appearance, the scheme would have an adverse impact on the character and appearance of this area, failing to protect and preserve visual amenity of the plot or the wider surrounding semi-rural nature of the locality. Thus, the proposed development would be contrary to Policies DM2 and DM12 of the Island Plan Core Strategy.

2. The application site is located within the Solent Special Protection Area (SPA) buffer zone and the proposal has the potential to result in increased recreational disturbance to the interest features of the Solent SPA alone and in combination with other development projects. To mitigate for these potential impacts to the Solent SPA, the applicant is required to enter into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a contribution from the development towards the Solent Recreation Mitigation Strategy. In the absence of such an obligation being complete, or any other proposed measures to mitigate for these potential impacts, it is considered that the proposal would be contrary to the aims of Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the National Planning Policy Framework.

3. *The proposed development in this location, on an area designated for ten parking spaces would result in the loss of parking for the adjacent eco lodge development, in which this resulting shortfall would have a detrimental impact on the highway network and associated highway safety and as such, the resulting positioning of the development would be contrary to policies DM17 and DM2 of the Island Plan Core Strategy.*

20/00395/RVC - Removal of condition 4 on P/01410/16 as campsite is no longer there (revised description - Approved - 21.05.2020. This application initially also sought changes to the positioning of the units, the parking and some design changes.

P/01410/16 - Demolition of an office block; new access and the construction of 10 eco-pods for tourism use (Revised plans showing retained office building, re-aligned internal access road and removal of eastern parking area). Approved - 23/03/2017. The current application seeks to effectively vary this permission, albeit with one less unit and some other changes. It is noted that pre-commencement conditions were discharged by letter dated 01 November 2018 and email sent 19 April 2018 (which referred to some of the conditions being dealt with under P/00867/17) and that the applicant states this permission has been implemented – the case officer's site visit noted that works have occurred with foundations built for one of the units.

The following application is also noted:

P/00867/17 - Demolition of office block and 37 residential units; redevelopment of the site for 25 residential units (revised scheme) – Approved - 18/10/2017. The site comprises land to the north of the Wishing Well and includes the access to the application site.

National Policy

National Planning Policy Framework.

- Section 6 - Building a strong, competitive economy
- Section 12 - Achieving well-designed places.
- Section 15 - Conserving and enhancing the natural environment

Development Plan Policy

Island Plan Core Strategy

SP1 - Spatial Strategy

SP3 - Economy

SP4 - Tourism

SP5 - Environment

SP7 - Travel

DM2 - Design Quality for New Development

DM8 - Economic Development

DM12 - Landscape, Seascape, Biodiversity and Geodiversity

DM17 - Sustainable Travel

Guidelines for Parking Provision as Part of New Developments SPD

The Guidelines for Parking Provision as Part of New Developments Supplementary Planning Document (SPD) was adopted by the Isle of Wight Council at its Executive meeting on 12 January 2017 and came into force on 23 January 2017.

Refuse and Recycling

The Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document (SPD) was adopted by the Isle of Wight Council at its Executive meeting on 12 January 2017 and came into force on 23 January 2017.

Solent Special Protection Area / Solent Recreation Mitigation Strategy

The application site is located within the identified Solent Special Protection Area buffer zone and the Solent Recreation Mitigation Strategy is being used by the Isle of Wight Council in terms of requiring mitigation for impacts on the Solent Special Protection Area, as a result of increased recreational pressure from certain types of residential development that are located within 5.6km of the designated Solent Special Protection Areas.

Consultee & Third Party Comments

Internal

The Highway Authority has raised no objections, subject to the imposition of a condition requiring the space for parking and on-site manoeuvring to be provided before occupation.

External

Nettlestone And Seaview Parish Council has raised no objections (and support the application).

Third Party

None received.

Evaluation

Principle

Planning application P/01410/16 approved 10 eco-pods for tourism use similar to the 9 now proposed, and pre-commencement conditions were discharged and that the applicant states this permission has been implemented – the case officer's site visit noted that works have occurred with foundations built for one of the units. Furthermore, this 2016 was assessed under the current local and national policies. As such, the principle of the development is acceptable, subject to the more detailed issues of the proposal being in accordance with the relevant policies of the Core Strategy which will be discussed further below.

Impact on the character of the area

The proposal is for an almost identical scheme with just plot 1 removed from the scheme and the car park 'shifted' along to plot 1's former position. The units would change but the changes are very minimal that it is not considered there would be any further or adverse impacts on the landscape. Given the minor alterations and the loss of one unit from the scheme, and noting that the previous permission is extant, so could be built out, it is not considered there would be any further impacts on the landscape (with the loss of one unit there would actually be less impacts) and thus would still be in accordance with Policies SP5, DM2 and DM12 of the Island Plan Core Strategy.

Impact on neighbouring properties

As above, significant weight is given to the extant permission and that this now reduces the number of units by one. The other 9 units would be in a similar location and the minor design changes would not result in any further impacts on neighbouring properties, noting that there is some distance to any neighbouring property (approximately 45m to the west and with significant existing tree screening in between. A revised external lighting plan has been submitted which show the same type of bollard lighting as previously agreed (via discharge of the relevant condition on the previous application) but with some minor revisions to their layout to reflect the changes to the layout of the units within this application. This would not result any further impacts on neighbours (or visually). A condition is suggested to ensure this lighting specification is adhered to.

Thus, the development is still considered to be acceptable in terms of impact on neighbours in accordance with Policy DM2 of the Core Strategy.

Highway Consideration

The site is serviced by a recently modified access that runs on the western side of the Wishing Well Public House and forms a simple priority junction onto Pondwell Hill. The Highway Engineer states that this junction has been evaluated on numerous occasions and is found to be compliant with current design standards giving rise to no highway safety concerns.

The Highway Engineer also notes the principles of the general layout associated with this application has

previously been evaluated by them but that this application removed one plot and amends the parking layout.

The internal service road measures at 4.1m in width which is sufficient for two conventional private motor vehicles to pass one another in a safe manner. In addition the parking bays for plots two and three are safely accessible from the service road, with the parking in the car park area (located in the northern extent of the main site) have also been found to be compliant measuring a minimum of 2.4m x 4.8m and with a 7.0m clear manoeuvring space located adjacent to the bays. It is noted that the enlarged manoeuvring space allows the safe access and egress into the western most bay located adjacent to the hedge boundary. In addition, the Highway Engineer undertook a swept path analysis which has demonstrated that both a fire appliance and a refuse service vehicle can traverse along the main service road and can manoeuvre within the main turning head so as to leave the site in forward gear.

The Highway Engineer also notes that the site is located within a 15 min walk to Seaview Village Centre and being located directly off a bus stop with the no. 8 service providing links to both Ryde and Newport. In addition, the site is located adjacent to the Rights of Way footpath R59 making the site highly accessible by alternative means of transport.

The Highways Engineer states that the traffic generation associated with this proposal is not deemed would have a negative impact on the capacity of the highway/project network, nor deemed to generate any significant implications during the construction phase, and that on review of accident data, there have been no recorded accidents in the last 3 years within the vicinity of this site that are relevant to the proposal.

Parking Provision

This site falls within Zone2 as defined within the Guidelines for Parking Provision as Part of New Developments SPD January 2017 forming part of the Island Plan. In accordance with the guidance set out within Table 5, a development of this nature should typically provide twenty vehicle parking spaces as the policy states 1 parking space per visitor bedroom. However, this is more for a hotel type complex where each room would be booked out individually. Self-catering tourism units' of 2/3 bedrooms are more likely be for family groups who may arrive in a single vehicle. Furthermore, whilst the fourteen spaces proposed is not compliant with the parking guidelines, significant weight must be given to the extant permission, where the approved car park was similar in size to the proposed one, but, it is also acknowledged that the Highway Engineer considers that the fourteen spaces for this type and scale of development is not seen to give rise to any significant highway safety concerns and can be supported by this office.

Therefore, with the imposition of an appropriate condition the proposal would comply with Policies DM2 (Design Quality for New Development), DM17 (Sustainable Travel) and SP7 (Travel) of the Isle of Wight Core Strategy.

Solent Special Protection Area Mitigation

The Bird Aware Solent Strategy sets out the mitigation for impacts on the Solent Special Protection Area as a result of increased recreational pressure from certain types of residential development that are located within 5.6km of the designated Solent Special Protection Areas. The applicant has entered into a legal agreement which shows that they would make the relevant monetary contribution to mitigate the impact of the development on the Solent Special Protection Area.

Refuse/Recycling provision

Having regards to The Guidelines for Recycling and Refuse Storage in New Developments Supplementary Planning Document (SPD), whilst no spaces are specified on the plans for such bins, the proposal would include adequate space for such storage and it is therefore considered that the proposal would conform to these guidelines.

Conclusion

Having given due weight and consideration to all comments received in relation to this application, that significant weight is attached to the previous and extant approval for a similar scheme and that there have been no significant local or national policy changes or changes to the site circumstances to alter this previous assessment, and for the reasons set out above, the Local Planning Authority (LPA) considers the proposal would comply with the requirements of the policies listed within this justification. Therefore, it is

recommended that the development is approved subject to conditions similar to those imposed on P/01410/16, although noting some of these have been undertaken (such as the relocation of the well and street lighting column – conditions 7 and 12, and are therefore no longer required).

As such, the proposal would be in accordance with Policies SP1, SP3, SP5, SP7, DM2, DM8, DM12 and DM17 of the Island Plan Core Strategy.

Conditions

1 A10

The development hereby permitted shall be begun before the expiration of 3 years from date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2 S25 Plan numbers

The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered/labelled:

- BDS.200/320 Rev A – Proposed Site Plan Sheet 1 of 2 (revised, received 11/10/2020)
- BDS.200/321 Rev A – Proposed Site Plan Sheet 2 of 2 (revised, received 11/10/2020)
- BDS.200/322 Rev A - Site Location Plan/Block Plan (revised, received 11/10/2020)
- BDS.200/323 – Two Bedroom Unit
- BDS.200/324 – Three Bedroom Unit

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with the aims of Policy DM2 (Design Criteria for New Development) of the Island Plan Core Strategy.

3 Drainage

None of the holiday units hereby permitted shall be occupied until the scheme for the drainage and disposal of surface and foul water from the development has been carried out and completed in accordance with details previously agreed under condition 8 of P/01410/16 and by the LPA's letter dated 09/11/2018.

Reason: To ensure a satisfactory means for the disposal surface and foul water from the development to minimise the risk of flooding and to comply with Policies DM2 (Design Quality for New Development), DM14 (Flood Risk) of the Island Plan Core Strategy and Government advice contained within the National Planning Policy Framework.

4 – external lighting

The development shall be carried out and maintained in accordance with the external lighting details shown on drawing number BDS.200/325 – Proposed Lighting Bollard Plan.

Reason: To prevent lighting from becoming a source of nuisance to nearby properties and uses, to ensure the appearance of the development is acceptable, to ensure that protection is afforded to Dark Skies and the character of the area and to comply with the requirements of policies DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Bio-diversity, Geo-diversity) of the Island Plan Core Strategy.

5 Ecology

The development hereby approved, shall be carried out and maintained during both the construction and operational phases of the development in accordance with the ecological mitigation and enhancement measures agreed under condition 16 of P/01410/16 and by the LPA's letter dated 09/11/2018. These measures shall be completed in full prior to the first occupation of the eco-pods.

Reason: In order to ensure that the development has an acceptable level of ecological impact and provides sufficient mitigation based upon the details contained within the supporting documentation, in accordance with the parameters established by the outline permission and to accord with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

6 K01 PROVISION (unloading, parking and turning space)

No building hereby permitted shall be occupied until space has been laid out within the site and in accordance with drawing number BDS.200/321 for a minimum of fourteen conventional motor vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

Reason: In the interests of highway safety and to comply with policy DM17 (Sustainable Transport) and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

7 Landscaping

The development shall be carried out in accordance with the landscaping details shown on drawing numbers BDS.200/320 (Proposed Site Plan Sheet 1 of 2) and BDS.200/321 (Proposed Site Plan Sheet 2 of 2). All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance of the development is satisfactory and to comply with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

8 Maximum no. of units

The development hereby approved shall provide for a maximum of 9 "eco-pods" (as defined within the Design & Access Statement) within the application site, as outlined in red on the approved plans and as identified through the supporting information submitted with this application.

Reason: For the avoidance of doubt and to ensure that the density and layout of the development are compatible with the character and appearance of the area and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

9 Holiday

The 'eco pod' units hereby permitted shall not be used for any purpose other than as holiday accommodation.

Reason: To ensure that the development remains for holiday purposes in accordance with the aims of policy SP4 (Tourism) of the Island Plan Core Strategy.

10 E01 - register

The owner(s) and/or manager(s) of the holiday accommodation hereby permitted shall maintain a comprehensive and up-to-date register listing the names of all occupants of the accommodation, their main home address, and recording the dates of occupation and vacation of the accommodation. This register shall be kept by the owner(s)/manager(s) for a rolling continuous period of 10 years.

Reason: To ensure that the holiday accommodation would be used as holiday accommodation and to protect the rural character and appearance of the area in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and the National Planning Policy Framework.

Informative(s):-

1 Statement of Proactive Working

ARTICLE 31 - WORKING WITH THE APPLICANT

In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council takes a positive approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area. Where development proposals are considered to be sustainable, the Council aims to work proactively with applicants in the following way:

- The IWC offers a pre-application advice service

- Updates applicants/agents of any issues that may arise in the processing of their application and, where there is not a principle objection to the proposed development, suggest solutions where possible

In this instance the application was considered to be acceptable following the submission of further details relating to previously discharged conditions (such as external lighting).

Part 1 Authorisation

