



## NETTLESTONE AND SEAVIEW PARISH COUNCIL

### MINUTES OF THE PARISH COUNCIL MEETING

held at St Peter's Church, Seaview on Monday 12<sup>th</sup> December 2022 at 7pm

**PRESENT:** Cllrs Elliott (Chair), Adams, Redpath, Rogers, Barry, Hardie, Marlton, Hadfield, and Geernaert-Davies.

The Chair welcomed Members (9) and Residents (1).

The Chair invited comments from the public in attendance – there were no comments.

#### **22/170**

##### Chair's Comments:

N/A.

#### **22/171**

##### Apologies for Absence:

Cllrs Colledge sent his apologies, which were accepted.

#### **22/172**

##### Declarations of Personal and Prejudicial Interest:

Cllr Hardie expressed an interest in application 22/01942/HOU and item 22/177. Cllr Rogers expressed an interest in item 22/178.

#### **22/173**

##### To approve the Minutes of the Previous PC meeting held on the 21st November 2022.

The members voted to approve the minutes of the meeting held on the 21<sup>st</sup> November 2022.

**22/174**

Clerk's Report:

The Clerk's report is attached to these minutes as Appendix A.

**22/175**

Planning:

22/175/01: Delegated decisions as per the list circulated were noted.

22/175/02: Planning Applications:

Application:	Address:	Description:	Resolved:
<a href="#">22/01942/HOU</a>	The Lodge Fairy Road Seaview Isle Of Wight PO34 5HF	Proposed side and rear extensions; alterations to front boundary to form gated entrance; shed; alterations and bay extension; cladding to rear dormer	The Parish Council have adopted a neutral stance on this application.
<a href="#">22/01950/HOU</a>	Salterns Old Cottage Salterns Road Seaview Isle Of Wight PO34 5AJ	Demolition of single storey extension and construction of single storey extension; demolition of existing detached boat store; construction of single storey extension to form additional living accommodation and boat store; internal alterations; widening of vehicular access onto Duver Road.(revised scheme)	The Parish Council objects to this application on the grounds of it being an overdevelopment of the site, that will be overbearing for the neighbouring property. This application does not appear to be an improvement in this area over the previous submission.
<a href="#">22/02083/HOU</a>	13 Caws Avenue Nettlestone Seaview Isle Of Wight PO34 5JS	Demolition of porch; proposed south (side) single storey extensions; alterations to including cladding	The Parish Council supports this application.

22/175/03:Appeals:

No new appeals to note.

**22/176**

Reports:

22/176/01: I.W.C Ward Cllr: Cllr Adams informed the members of the 'Help You To Live Well' and 'Supporting Families' schemes that the Isle of Wight Council has launched and are having positive effects already – Cllr Adams will share further details with the members outside of the meeting.

22/176/02: N&SCP: Cllr Hardie reported that the late night shopping evening on the 8<sup>th</sup> December (in Seaview) had been well attended and the NaSHers had run a Christmas market that had generated a good amount funding. There will be carols on Nettlestone Green on the 15<sup>th</sup> December and Community Carols at St.Peter's Church on the 21<sup>st</sup> December.

22/176/03: Seagrove Pavilion Trust: Nothing to report.

22/176/04: Nettlestone Residents Association: Nothing to report.

22/176/05: IWALC: There had been an IWALC meeting with Bob Seely MP where he had shared details of the new planning bill, which should lead to non-compulsory housing targets and for Islands without road bridges to qualify for 'exceptional circumstances' by default.

22/176/06: Others: N/A.

**22/177**

2200607/FUL – FORMER BEAUTY SALON, PIER ROAD, SEAVIEW:

Cllr Hadfield had provided a report expressing her disappointment at the loss of the commercial unit that had formerly been a beauty salon in Pier Road – attached to these minutes as Appendix B.

**Resolved:**

The members resolved to write to the Isle of Wight Council Planning department to make the point that amenities (such as shops and other commercial ventures) are of more value to the Parish than additional holiday lets (of which there are many) and that the predisposition to approve planning applications that convert shops and other amenities into rental properties -in the name of tourism - is extremely damaging to the Parish.

**22/178**

22/01405/RVC – CHANGE OF CONDITION TO CAR PARK – GIBBWELL FIELD:

Cllr Redpath provided a report with regards to concerns about the process involved with the decision making for application 22/01405/RVC at the Isle of Wight Council (IWC) Planning Meeting and Cllr Redpath also provided a draft of a formal complaint to be sent to the IWC – documents attached to these minutes as Appendix C. A resident who had been present at the planning meeting explained that they believed the officer involved was presenting their subjective opinion as fact during sections of the discussion.

**Resolved:**

The members resolved to send the formal complaint to the Chief Executive of the IWC and their legal department.

**22/179**

**PLANNING COMMITTEE**

There was discussion about the possibility of setting Planning Committee meetings on a regular schedule, rather than as ad-hoc meetings to satisfy the 21 day rule. Moving the meetings to a regular slot on a Tuesday would enable the Council to use technology at the pavilion, which had proved popular with attendees at a recent meeting. There was a strong desire to keep the majority of planning in full council meetings so the Chair of Planning and the Clerk will see if there are other ways to enable the use of technology.

**22/180**

**FINANCE WORKING GROUP – 2023/24 BUDGET:**

The Finance Working Group (FWG) had met on the 6th of December 2022 and had analysed the draft budget for 2023/24 which had then been shared with all the members for consideration. The six-month internal audit had been successfully completed by the FWG. The proposed budget sees an increase in Council tax from the current £44.10 per band D house to £45.66 per year. This works out at £0.88p per week. This is considerably below the Isle of Wight average of £96.41 per year.

**Resolved:**

The members agreed to request the precept of £81,350 for 2023/24 as per the budget.

**22/181**

**BEACH AWARDS:**

Keep Britain Tidy have once again invited the Council to apply for Seaside Awards for Seagrove Bay and Springvale Beach. The Clerk informed the members that the criteria for qualification have been changed and that the beaches do not currently meet all of the latest criteria so qualification for the awards would require coordination with the IWC (the beach owners/managers) and at the moment, the Clerk does not advise spending the £1000+ required to apply. Cllr Hardie expressed a willingness to investigate the gaps between what is provided at the beaches and whether these could be addressed in time for a successful application – other members will join with her in a working group to investigate this.

**22/182**

**PRESENTATION EQUIPMENT:**

The Council is migrating to using more technology - as appropriate – during meetings, for example, in the New Year, the Council will take part in an online training session for Neighbourhood Plan production and this will require the use of a combined conference camera and microphone – the Clerk had identified a 'Nuroum C20' as being a suitable device.

**Resolved:**

The members resolved to purchase the combined conferencing camera at a cost of £84.99 +VAT.

**22/183**

**JANUARY MEETING:**

The Clerk will be on leave on January 16<sup>th</sup> 2023 so the meeting will be brought forward to Monday 9<sup>th</sup> January 2023.

**22/184**

**Finances:**

**22/184/01: The following receipts were noted: -**

The Clerk circulated a report of the schedule of receipts up to 01-12-2022. There were no questions or comments. Attached to these minutes as Appendix D.

The signing of the monthly bank reconciliation and statement was completed by the Chair and Vice Chair.

**22/184/02: The following payments were approved: -**

The Clerk circulated a report of the schedule of payments up to 12-12-2022. The members resolved to approve these payments - attached to these minutes as Appendix D

**22/184/03: Grant Applications: -**

There were no new grants to consider.

**22/184/04: To receive an income/expenditure report up to 30th November 2022:**

The clerk circulated the above report to members – there were no further questions, and the report was noted.

**22/185**

**COUNCILLOR REPORTS:**

Cllr Hadfield mentioned that Wightfibre had left the pavement in West Street in poor condition, Cllr Adams said he would look into this. Cllr Hardie suggested that thank you letters were sent to the households who had provided electricity for the festive lights at Sophie Watson's Garden and in Seaview High Street – the Clerk will coordinate with Cllr Hardie to do this. Cllr Marlton asked for an update on the potential repair of the notice board outside Lily's Coffee shop – Cllr Elliott will follow this up with the NaSHers. Cllr Barry asked what could be done about the broken LED tree from Sophie Watson's Garden – the Clerk will request repair details from NDLE and if it cannot be repaired, see if there is the possibility of making an insurance claim. Cllr Elliott explained that the football pitch had been vandalised twice by vehicles driving over it in the icy conditions – the Pavilion Trust may ask the Council to consider funding CCTV for the area.

There being no further business, the meeting was declared closed at 9.00 pm.

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Chair

9th January 2023

## Appendix A

### **Nettlestone and Seaview Parish Council - Clerk's Report December 2022**

- NDLE were able to install trees and lights in most of the Parish as requested and feedback has been positive to date – one of the installation engineers had to retrieve the large LED Christmas tree from a resident who was unhappy at the concept of the trees and lights being used so grabbed the tree and attempted to run off with it – during the tussle to retrieve the tree, it was damaged severely and may be beyond repair.

22/159

- Neighbourhood Plan – Troy Planning are putting together a presentation for the new year (with input from the Councillors) and a date will be decided shortly – a conference camera and microphone has been purchased for use during this and future meetings.

22/160

- PSPO - The IWC Environment Department have received the request to run a consultation on reinstating a dog control zone on Seaview Beach but have not responded yet.

22/161

- Barnsley Trail – one thousand leaflets have been ordered for £175.

22/162

- Vodafone Mast – letters were sent to Vodafone's consultants and the IWC planning officer – the planning officer has picked up on the Parish Council's request to look for alternative sites and is going back to the consultant and requesting they explore other sites before taking this further.

## Appendix B

Dear All,

Please find supporting information for item 22/177 below:

Nettlestone and Seaview Parish Council – 12th December 2022

Agenda item 22/177.

FORMER BEAUTY SALON, PIER ROAD, SEAVIEW To discuss and consider a challenge to the change of use granted under application 22/00607/FUL. (Cllr Hadfield)

This agenda item is to explore the possibility of challenging the permission given to convert the former beauty salon (and before that Post Office) is Seaview into a holiday let.

We are concerned about the reasons given, and the very strong possibility it raises of setting precedent for the loss of other shops and services in the village.

Two of the reasons given give cause for concern:

1. Tourism - the decision leans heavily on tourism as being the main reason for allowing the change. I would argue a shop or services usage is far more beneficial to year-round tourism than a 2-bed holiday let in a village with huge amounts of existing holiday accommodation.
1. 'Not located in a town centre boundary or primary retail frontage' - suggests there is no protection for Seaview as a commercial centre - something we need to consider / be aware of.

We may well be too late to stop this particular example but I'm concerned if we don't at least do something, other shop fronts will go the same way - and once gone, we'll never get them back!

Harriet Hadfield

## Appendix C

*Nettlestone and Seaview Parish Council – 12<sup>th</sup> December 2022*

### **Agenda item 9.**

As representative of the Parish Council, I addressed the IOW Planning Committee meeting held on 22<sup>nd</sup> November 2022 in respect of application 22/01405/RVC (variation of condition relating to car park to extend the use to general public/community).

Dave Adams as ward councillor was present at the meeting and Philip Redpath also addressed the committee as a member of the public. David Barry was in the audience.

The change was permitted by a single vote with an extraordinary amendment that there be a height barrier erected to eliminate use by vans and caravans. This was in spite of the car park location being within the sight line for viewing the Solent from the village green.

Members will recall that there were problems relating to the committee that determined the original application and it has long been felt by those who witnessed that meeting that there was a degree of maladministration over the decision making.

The committee on 22<sup>nd</sup> November last was no different.

A number of options are available to get the decision reconsidered but as this decision was related to the previous application it is unlikely that they will succeed.

However, there is an option of complaining to the Ombudsman which won't change the decision but could result in a decision of maladministration.

The Ombudsman requires a formal complaint in the first instance to the authority and some of us (Cllrs Barry, Adams and myself) are recommending that the Parish Council submit a formal complaint.

To help other members understand the situation I have drafted a possible letter – if the Council agrees that this option should be pursued.

I stress that it is only a draft and welcome any changes.

Please read this before the meeting to get an understanding of the concerns. I am also attaching a copy of certain comments by the planning officer that I have transcribed. *(The meeting can be viewed on the IOW website - if you click on the planning meeting of 22<sup>nd</sup> November).*

Trish Redpath

### ***Formal Complaint***

The Parish Council is hereby issuing a formal complaint citing maladministration of the process regarding application 22/01405/RVC: Variation of condition 15 on P/00496/18 to



## Appendix C

allow use of 20 parking spaces for school and general community | Land Between Nettlestone Hill and Seaview Lane, compounding previous maladministration of the outline planning permission for this site (application no. P/004896/18). Unfortunately lack of notification of the issue of the decision notice for P/004896/18 meant that the community lost the opportunity to apply for judicial review over that process.

The aforementioned condition 15 states that “The dwellings hereby approved shall not be occupied until the 20 car parking spaces for the school have been provided and are made available for this use. The spaces shall thereafter be used for this purpose.

Reason: in the interest of highway safety within the wider highway network to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy. “

The complaint about the decision made on 22<sup>nd</sup> November 2022 covers a number of issues as follows:

- Status of decision made on 22<sup>nd</sup> November 2022

Planning Officer Sarah Wilkinson stated at the beginning of the meeting that the only matter agreed in 2019 was the access. The 2018 application design & access statement stated clearly that the only consideration was for access and all other matters to be “reserved” – this was confirmed by a statement in the Island Roads comment on P/004896/18.

Later, in the November 22 committee, the planning officer dismissed queries relating to the siting of the car park with the words that the car park had been agreed. Was that really the case or had it been agreed as an outline reserved matter only?

The committee were - by implication throughout the proceedings – given the impression that the only two choices faced were i) to retain the car park for school (staff) use only, or ii) amend it to include public/community parking.

The Parish Council contends that a third option should have been given to the committee due to a clarification of the status appertaining to the car park i.e. to remove it altogether.

- The decision notice

The notice issued in August 2020 (the officer stated at the committee August 2022 which potentially misled the committee into thinking it was more recent than it was) states “**Outline** planning permission”.

The Parish Council believes that the recent application to change the use of the car park referred to a reserved matter, but the committee was not given opportunity to discuss this. *(s73 of the T&C Act 1990 does not apply to reserved matters though the applicant’s agent stated quite clearly when addressing the committee that this was the section that permitted the change – reserved matter approvals are not planning permissions. No clarification was given by the officers).*

Even if the contention that it is a reserved matter is incorrect, the approval of P/004896/18 was for outline only and therefore could easily have been altered. At no time was this explained to the committee.

- The application

The change is a major amendment to the application with major consequences for the local community. However, neither the Parish Council nor the ward councillor was

## Appendix C

advised of this application. The PC came across it quite by chance on the IOW website only a handful of days before the consultation period ended. Luckily a scheduled PC meeting the day prior to the end of the consultation enabled it to be added to the agenda at what was literally the 11<sup>th</sup> hour i.e. the close of the last day before the requisite 3 clear working days.

Parish Councils are statutory consultees under [Schedule 1, paragraph 8, of the Town and Country Planning Act 1990](#) and [article 25 and 25A of the Development Management Procedure Order](#), so why was no notification given?

The Council became aware by fluke and not through the proper channels. It could easily have missed making comment on this major amendment.

- Seaview Lane TRO

The Nov 22 planning committee meeting was repeatedly advised that the only issue for them to consider was what was described as an additional few words relating to the car park usage (notwithstanding the major effect of those few words!). However, towards the end of the debate the planning officer spoke extensively (transcript available) about her perception of “extreme” danger caused by the existing situation in Seaview Lane with parked cars. This is not the experience of the local community who use the road all the time. Island Roads confirmed no recorded traffic incidents on this stretch of road for 12 years+.

The officer clarified it as her personal opinion only but added that it was something that she was “sharing” with members of the committee. It is likely that she was using the term “share” in modern vernacular – that she was letting the committee know her opinion. But in reality, it could be perceived by those listening including committee members that there were others on the committee “sharing” her opinion.

Whatsoever, it was an attempt to sow a seed that the parking restrictions for Seaview Lane were important and that this change of use of the car park would be beneficial to road safety. At this point the committee should have been advised to disregard her “personal view”.

It is the view of the Parish Council that this was an attempt to lead the committee into a decision that would allow the change. There is a strong feeling that the committee was consistently misled about the issues in front of it. The final decision was by a single vote and it is very likely that if the correct information had been laid in front of the committee the decision may well have gone the other way.

9 December 2022 (2022-2023)

**Nettlestone and Seaview Parish Council**  
**RECEIPTS LIST**

Voucher Code	Date	Minute	Bank	Receipt No	Description	Supplier	VAT Type	Net	VAT	Total
80 Allotments	07/11/2022		Current Account		Allotment Rents	Allotments	E	16.00		16.00
81 Dinghy Park	17/11/2022		Current Account		Dinghy Park Permits	Dinghy Park	E	80.00		80.00
82 Dinghy Park	22/11/2022		Current Account	500189	Dinghy Park Permits	Dinghy Park	E	110.00		110.00
84 Interest	30/11/2022		Nationwide Business	Nov-Dec Statement	Interest	Nationwide Building Society	E	16.13		16.13
83 Other	01/12/2022		Current Account		Expenses Refund	Nettlestone and Seaview Parl	E	111.18		111.18
<b>Total</b>								<b>333.31</b>		<b>333.31</b>

**Nettlestone and Seaview Parish Council  
PAYMENTS (AWAITING AUTHORISATION) LIST**

Voucher Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total	
118	Salary (Inc Tax, N.I and	02/11/2022	Current Account		PC Pension Contribution	SJP	E	32.06		32.06	
119	Salary (Inc Tax, N.I and	04/11/2022	Current Account		PC Pension Contribution	SJP	E	116.80		116.80	
115	Admin Expenses	28/11/2022	Current Account		Conference	B.Jennings	S	84.99	17.00	101.99	
116	Bins (Street Furniture)	30/11/2022	Current Account		Dog Bin	Onward Waste	S	24.00	4.80	28.80	
120	Admin Expenses	01/12/2022	Current Account		Clerk's Expenses	B.Jennings	E	111.18		111.18	
117	Bins (Street Furniture)	01/12/2022	Current Account		Dog Bin	Onward Waste	S	72.00	14.40	86.40	
126	Admin Expenses	07/12/2022	Current Account	BACS	Stationery	Viking	S	36.49	7.30	43.79	
130	Public Park &	07/12/2022	Current Account	BACS	Water Services (Puckpool)	Business Stream	X	966.92	88.10	1,055.02	
125	Admin Expenses	07/12/2022	Current Account	BACS	Stationery	Viking	X	12.89	2.58	15.47	
128	Salary (Inc Tax, N.I and	13/12/2022	Current Account	BACS	HMRC Contributions (Q3)	HMRC	E	2,257.22		2,257.22	
131	Allotments	13/12/2022	Current Account	BACS	Water Services	Business Stream	E	564.56		564.56	
121	Salary (Inc Tax, N.I and	13/12/2022	Current Account	BACS	Clerk's Salary	B.Jennings	E	1,793.28		1,793.28	
135	Admin Expenses	13/12/2022	Current Account	BACS	Hall Hire	Seagrove Pavilion Trust	E	105.00		105.00	
124	Christmas Trees/Festive	13/12/2022	22/134	Current Account	BACS	Festive Lighting	Thompsons Plants	S	416.67	83.33	500.00
134	Admin Expenses	13/12/2022	Current Account	BACS	Hall Hire	St Helen's PCC	E	40.00		40.00	
123	Public Park &	13/12/2022	Current Account	BACS	Cleaning Contract	Clean Wight Cleaning	S	923.79	184.76	1,108.55	
136	Grounds Maintenance	13/12/2022	Current Account	BACS	Nettlestone Hill Hedge	Orlik Farms	S	90.00	18.00	108.00	
133	Newsletter	13/12/2022	Current Account	BACS	Quarterly Newsletter	Beacon Media	S	265.50	53.10	318.60	
132	Admin Expenses	13/12/2022	Current Account	BACS	Accounts Package	Scribe 2000	S	468.00	93.60	561.60	
122	Admin Expenses	13/12/2022	Current Account	BACS	Clerk's Expenses	B.Jennings	X	41.53	5.58	47.11	
127	Admin Expenses	13/12/2022	Current Account	BACS	Stationery	Viking	S	58.23	11.65	69.88	
129	Storage	13/12/2022	Current Account	BACS	Document Storage	InnerSpaces	X	60.88	9.18	70.06	
<b>Total</b>								<b>8,541.99</b>	<b>593.38</b>	<b>9,135.37</b>	