

Appeal Decision

Site visit made on 3 October 2016

by D M Young BSc (Hons) MA MRTPI MIHE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th October 2016

Appeal Ref: APP/P2114/W/16/3150174

Robin Hill Country Park, Downend Road, Arreton, Isle of Wight PO30 2NU.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Rob Holgate (Vectis Ventures Ltd) against the decision of Isle of Wight Council.
 - The application Ref P/01105/15, dated 10 September 2015, was approved on 11 November 2015 and planning permission was granted subject to conditions.
 - The development permitted is the retention of marquee.
 - The condition in dispute is No 2 which states that: *The marquee shall only be erected on the land between 1 May and 1 October each year. Outside of these dates, the marquee shall be dismantled and removed from the application site.*
 - The reason given for the condition is: *In the interests of the amenities of the area and AONB and to comply with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy*
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Decision

1. The appeal is allowed and planning permission Ref P/01105/15 for the retention of marquee at Robin Hill Country Park, Downend Road, Arreton, Isle of Wight PO30 2NU granted on 11 November 2015, is varied by deleting condition No 2 and substituting it for the following condition:
 - 1) The colour of the marquee shall be a neutral grey unless otherwise agreed in writing by the local planning authority.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the Isle of Wight Area of Outstanding Natural Beauty (AONB) within which the appeal site is located.

Reasons

3. The *National Planning Policy Framework* (the Framework) states that great weight should be given to conserving the landscape and scenic beauty of AONB's which have the highest status of protection in relation to landscape and scenic beauty.
 4. I agree with the appellant that the Council's decision to impose condition 2 appears to have been heavily influenced by the colour of the marquee which at that time was orange in colour and contrasted markedly with its sylvan setting. As I saw when I visited the site, the colour of the replacement marquee is an unobtrusive neutral grey which helps it to blend with its surroundings.
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5. Even at close quarters, the marquee was not readily apparent given its colour and proximity to established landscaping. I also walked along the nearest public footpath to the east but the marquee was not visible to the naked eye.
6. I accept that the trees were still in leaf and this undoubtedly helps to screen the marquee. Nonetheless, the photographs taken in March 2016 of the previous orange marquee do not support the Council's view that it is prominent in the landscape. In any event the colour change is highly significant. I am thus satisfied on the evidence before me, that even in the winter months the effect of the existing grey marquee on the wider landscape would not be limited.
7. Accordingly, I conclude that the proposal would not harm the character and appearance of the AONB. As a result, it would accord with Policy DM2 of the *Island Plan 2012* which seeks to ensure development compliments the character of the AONB. It would also accord with paragraphs 58 and 115 of the Framework.
8. I have imposed a condition relating to the colour of the marquee. However, given my findings above, it would be inconsistent of me to impose a condition requiring the marquee to be removed from the site during the winter months.

Conclusion

9. Based on the foregoing and taking into account all other matters, I conclude that the appeal should succeed.

D. M. Young

Inspector