

Appeal Decision

Site visit made on 22 February 2017

by JP Sargent BA(Hons) MA MRTPI

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

Decision date: 06 March 2017

Appeal Ref: APP/P2114/W/16/3163093

65 Station Road, Wootton PO33 4RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr P Lazell against the decision of Isle of Wight Council.
 - The application Ref P/01228/16, dated 8 September 2016, was refused by notice dated 3 November 2016.
 - The development proposed is the construction of a detached chalet bungalow.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a detached chalet bungalow at 65 Station Road, Wootton PO33 4RE in accordance with the terms of the application, Ref P/01228/16, dated 8 September 2016, subject to the conditions in the Conditions Schedule below.

Main Issue

2. The main issue in this case is the effect of the development on the character and appearance of the area.

Policy

3. Two policies in the *Island Plan* have been cited in the decision. Under the first, Policy SP1, it is necessary to show how development that is not on previously developed land will enhance the character and context of the local area. The second, Policy DM2, among other things seeks to secure high quality design in new developments. I have no reason to consider either of these is inconsistent with the *National Planning Policy Framework* (the Framework).

Reasons

4. This appeal concerns a detached bungalow that stands in a large curtilage with an appreciable gap to one side that is occupied by hardstanding and some ancillary out buildings. The site is on the east of Station Road. Going north the road bends and, after passing some larger plots, it is then lined by older properties. However on this side of the road, southwards from No 65, are more modern houses of varied but generally complementary designs. Most are one or 1½ storeys high although some are 2-storey properties.
 5. The proposal is to erect a dormer chalet type house in the curtilage of No 65 in the gap between the Appellant's bungalow and the bungalow next door, 67 Station Road. Since the application subject of this appeal was refused, the Council has granted planning permission for a bungalow in this gap (the
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approved scheme), which would be set back slightly further on the site than the dwelling now proposed and be of a different design.

6. The approved scheme shows that although it is not previously developed land there are no objections, in principle, to a new house here. Moreover, it also indicates the Council is not seeking to retain this gap, and that is a view I share. Gaps of this width are not characteristic of the built form to the east of Station Road southwards from the appeal property, as the dwellings tend not have large side spaces. However, despite that point reasonable separation in keeping with the streetscape would remain to either side of the proposal.
7. Turning to the impact of the new house itself, it would have more of a presence than the bungalow subject of the approved scheme due to its gable and its siting closer to the pavement. However, as stated above there is a notable variety in the built form on this stretch of road. No 67 immediately to the south is a long low bungalow having a distinctly horizontal nature while beyond are 2 2-storey houses and then further bungalows and 1½ storey properties. Consequently while No 65 and No 67 may be described as 'classic bungalows' that is not a fair description of the general character of buildings in the streetscape in which they sit. Moreover, while the Council raised specific concern about the eaves height relative to the dwellings to either side, given the variety that exists any such differentiation is not sufficient to result in the scheme appearing incongruous.
8. Amongst the varied designs a number of the properties in this row have pronounced gable features facing the road, whether as dormer windows or as part of the building's form. As such, the triangular gable now before me would not be unduly discordant. Finally, I am aware the proposal would be set back on the site a suitable distance when compared to the adjacent properties, so it would not be particularly dominant when seen from the carriageway.
9. Taking these factors together, although what is proposed would be of a unique design in this row it would not be of a scale or appearance that was inappropriate in this context.
10. Concern was also raised about the visual impact of cars parked on the hard-standing to the front. However, many houses have front parking of this type and the only parking in the approved scheme was to the front. Therefore it would not be unsightly or unusual in this residential area.
11. Accordingly I conclude the development would not detract unacceptably from the character or appearance of the area, and so would not conflict with Policies SP1 and DM2 in the *Island Plan*, or the Framework.

Other matters

12. I consider that the access improvements proposed show the development would not harm highway safety. A Unilateral Undertaking has been submitted to make appropriate payments to mitigate any impacts on the Solent Special Protection Area.
13. An adequate garden would remain at No 65. Furthermore, there are only small secondary windows proposed in the side elevations of the new house, while No 67 already has windows facing the outbuildings at the appeal site. Therefore, I consider the neighbouring residents would not suffer any unreasonable harm arising from overlooking or a loss of light.

14. Given my findings above and mindful of the site's proximity to the services and facilities in Wootton, I have no reason to consider this scheme would not accord with the aims of sustainability outlined in the Framework.

Conditions

15. In the interests of highway safety the parking areas should be laid out and retained while the access improvements should be provided and the access should not be gated to allow cars to pull clear of the highway. However, the suggested condition relating to the sight splays is not sufficiently precise, as the sight splays to which it refers and that need to be kept clear are not specifically defined. I therefore consider the condition should be reworded to address this matter.
16. Having regard to the character and appearance of the area the materials should be agreed, and given the fundamental nature of this, the materials should be agreed prior to the development commencing.
17. Given the form of the dwelling and its relationship to the houses to either side, it would be reasonable, in the interests of the neighbouring living conditions, for any new windows and dormer windows to require specific planning permission.
18. However, the garden would be large and so I see no circumstances that would justify the removal of 'permitted development' rights for development within Class E of Part 1 of *The Town and Country Planning (General Permitted Development)(England) Order 2015*. Similarly with the exception of any gating across the entry, there are no grounds to remove 'permitted development' rights concerning the erection of walls, gates and fences. Indeed I note such conditions were not imposed on the approved scheme.
19. Finally, for the avoidance of doubt and in the interests of clarity the scheme should be in accordance with the approved drawing.

Conclusions

20. For the reasons stated I conclude the appeal should be allowed.

J P Sargent

INSPECTOR

Conditions Schedule

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Unless otherwise modified under the conditions below, the development hereby permitted shall be carried out in accordance with approved Drawing Number 16-612-02.
- 3) The dwelling hereby permitted shall not be occupied until the parking and turning area shown on Drawing Number 16-612-02 has been laid out for the parking and turning of vehicles in accordance with that drawing, and drained and surfaced in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. That area shall thereafter be kept clear of all gates, fencing and similar and retained for use for the parking and turning of vehicles.
- 4) The dwelling hereby permitted shall not be occupied until sight splays for the access have been submitted to and approved in writing by the Local Planning Authority, and until those splays together with any alterations necessary to the boundary treatment, have been provided. Those sight splays shall thereafter be kept clear of any obstruction greater than 1m in height when measured from the adjacent carriageway.
- 5) The access shall at all times be ungated.
- 6) Notwithstanding the provisions of *The Town and Country Planning (General Permitted Development) (England) Order 2015* (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed on the side elevations of the dwelling hereby approved.
- 7) No development shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.