
Appeal Decision

Site visit made on 23 February 2017

by JP Sargent BA(Hons) MA MRTPI

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

Decision date: 17 March 2017

Appeal Ref: APP/P2114/W/16/3162880

Flat 4, Merrifield, Heathfield Road, Freshwater PO40 9LJ

- 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 Ms Meredith Buddry against the decision of Isle of Wight Council.
 - The application Ref P/01151/16, dated 22 August 2016, was refused by notice dated 12 October 2016.
 - The development proposed is alterations to roof with roof terrace.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to roof with roof terrace at Flat 4, Merrifield, Heathfield Road, Freshwater PO40 9LJ in accordance with the terms of the application, Ref P/01151/16, dated 22 August 2016 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be undertaken in accordance with the approved drawing numbers 352/VW/16 and 352/VW/16/1.

Main Issues

2. The main issues in this case are the effect of the development on the character and appearance of the area, and its impact on the living conditions at the adjacent house called Highbury.

Reasons

Character and appearance

3. Flat 4 is one of 4 flats in what appears to have originally been a pair of semi-detached dwellings that date from the late 19th or early 20th Century. They stand on the west side of Heathfield Road, with more recent housing to the north and south, while properties of various ages are opposite.
4. The building containing Flat 4 has a deep plan form with a hipped roof and, as the dwellings to the south are set back some way behind a verge and long front gardens, its side elevation is clearly visible in the streetscape when looking from that direction.
5. The proposal is to form a dormer window with a terrace¹ in front on the side, south-facing roofslope. There is nothing similar on the property now.

¹ This is referred to as a balcony on drawing 352/VW/16/1.

However, given its siting, size and scale it would sit comfortably on the roof as a proportionate and subservient addition, and it would not make the building appear 'top-heavy'. It would also be located sufficiently far back on the elevation to mean it would not be readily apparent from the front and so would not unbalance the pair. I am aware too that the openness to the south means these works would not appear cramped but instead would be viewed in a spacious context and appreciated as part of the composition of this elevation.

6. Moreover, the property does not contribute to or accord with any strong pattern of development but is in an area that displays great variety in built form. Indeed the building's setting and appearance mean there is nothing comparable to the visual impact of the side elevation in the vicinity. As such, whilst balconies may not be a common feature of the area, the introduction of one here would not be discordant. The works would therefore not disrupt any established rhythm or undermine any local sense of identity.
7. Finally, given the size of the terrace there is little opportunity for unsightly paraphernalia to be there.
8. Taking these factors together I conclude that the works would not be alien or incongruous in this location, and would not detract unacceptably from the character and appearance of the area. As such, they would not be in conflict with Policy DM2 in *Island Plan*, the Council's Core Strategy, which amongst other things seeks high quality design that protects the existing environment.

Living conditions

9. The *National Planning Policy Framework* identifies as a core planning principle the need to seek a good standard of amenity for all existing residents and future occupiers. In relation to this issue the Council has referred to *Island Plan* Policy DM2, with its requirement to protect the existing environment.
10. Highbury is to the south and is set further back from the road than the property containing the Appellant's flat. As a result, the proposed roof alterations and terrace would be forward of Highbury's front elevation and looking onto its front garden. This means that views towards that neighbour's first floor bedroom windows may be possible. However, these views would be restricted as a result of the angled relationship, the set back of the terrace and the dormer window on the roof, and the fact that the works would be a floor higher. Moreover similar views can already be achieved from the Appellant's existing bedroom window. In any event these windows on Highbury face onto the public domain of Heathfield Road, which inevitably would have some effect on the privacy they allow. Taking these factors together I consider that any overlooking would be extremely limited and not unreasonable.
11. It may be contended as well that a perception of overlooking would occur in these front rooms. However, this would be unlikely given the presence of the road and the rooms' relationships to the proposed works. Moreover, as the terrace is not large I see no reason why, in this situation, its use should cause a general disturbance.
12. The Appellant has said the terrace is to provide some much-needed outside amenity space, but it is not uncommon for flats to lack such space and so that in itself has not been decisive.

13. Accordingly I conclude that the proposal would not result in unreasonable living conditions for adjacent residents at Highbury, and so in this regard it would not conflict with *Island Plan* Policy DM2 or the *National Planning Policy Framework*.

Conditions

14. The proposal should be started within 3 years and, for the avoidance of doubt, it should be undertaken in accordance with the approved plans.

Conclusions

15. For the reasons given I conclude the appeal should be allowed.

J P Sargent

INSPECTOR