
Appeal Decision

Site visit made on 4 April 2017

by Stephen Hawkins MA MRTPI

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

Decision date: 27th April 2017

Appeal Ref: APP/P2114/W/17/3167170

Woodlands/Marlow, Hamstead Road, Shalfleet PO41 0YB

- 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 Roger Carlton against the decision of Isle of Wight Council.
 - The application Ref P/00833/16, dated 10 June 2016, was refused by notice dated 30 August 2016.
 - The development proposed is demolition of two dwellings and construction of two replacement dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposed development in the banner heading is taken from the application form. Whether the part of the building known as 'Marlow' has a subsisting use as a separate dwelling is a matter of dispute between the main parties. This is not a matter for me to determine in the context of an appeal made under Section 78 of the Town and Country Planning Act (as amended). When I visited the site, 'Marlow' had clearly been in a derelict and uninhabitable condition for some years. Therefore, I intend to deal with the appeal on the basis that the appeal site comprises one dwelling. It is open to the appellant to have the status of 'Marlow' determined by making an application under Sections 191 or 192 of the Act. Any decision on such an application would be unaffected by my determination of this appeal.

Main Issues

3. The main issues in this appeal are:
 - Whether this would be a suitable location for further housing, having regard to the settlement strategy and access to facilities and services.
 - The effect of the proposal on the landscape character and scenic qualities of the Isle of Wight Area of Outstanding Natural Beauty (AONB).

Reasons

4. The existing building is a single storey, timber-clad structure, occupying a spacious plot. It is in a loose-knit ribbon of detached housing on either side of a private lane accessed from the A3054. Similar ribbons of residential development extend along parts of nearby roads within a wider countryside
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setting which also comprises a small caravan park. The proposal would provide one two-bedroom and one three-bedroom dwelling.

Whether a suitable location for further housing

5. Policy SP1 of the adopted Island Plan Core Strategy (CS) supports development within or immediately adjacent to defined settlement boundaries. This is consistent with the National Planning Policy Framework (the Framework) core principle of actively managing patterns of growth to make the fullest use of public transport, walking and cycling.
6. The appeal site is in the Wider Rural Area (WRA), a significant distance away from the nearest settlements. In order to access local facilities and services, it would be necessary to travel for significant distances along roads which are largely unlit and have no segregation for pedestrians or cyclists. Although the nearest bus stop has a regular service, it is accessed by travelling around 500 metres along a lane which in addition to the above constraints is largely unsurfaced and has traffic associated with a number of properties travelling along it. The above factors suggest that local routes are unlikely perceived as safe or convenient. This is likely to deter anyone contemplating walking, cycling or using public transport, particularly in inclement weather or during the hours of darkness. Therefore, future occupiers of the additional dwelling would largely be reliant on the private car for the majority of their transport needs. Consequently, the proposal would result in the incremental growth of a pattern of development that would not promote alternative means of transport to the private car.
7. CS Policy SP1 also supports development within the WRA where there is a specific local need. Based on information obtained from sources including the Council's 2013 Housing Mismatch Report and its 2014 Strategic Housing Market Assessment (SHMA), there is a significant shortfall in the supply of two and three bedroom homes in the Parish of Shalfleet. I also note that there is a demand for smaller accommodation across the Island; the SHMA indicates that the majority of market demand for new housing across the Island up to 2036 would be for smaller units similar to the proposal. Therefore, the proposal would help in a limited way to address an identified need for smaller housing in the local area and on the Island as a whole. Also, the proposal would re-use previously developed land, which is prioritised by CS Policy SP1.
8. Whilst the above matters weigh in favour of the proposal, they would be of limited scale. Therefore, they would not mitigate the more substantial disadvantages of the proposal having regard to the location of the appeal site and its poor access to facilities and services by means of transport other than the private car. The local demand for smaller housing is not specific to the appeal site. Moreover, I have not seen any evidence to suggest that other more accessible locations in the Parish could not be developed to contribute to meeting local demand. Consequently, the proposal would undermine the settlement strategy, it would not accord with CS Policy SP1 and it would be inconsistent with the Framework in terms of encouraging patterns of growth that promote transport alternatives to the private car.

Landscape and scenic qualities of the AONB

9. The appeal site is within the Isle of Wight AONB. Mature planting at the front of the appeal site and more extensive planting to the rear contributes to a

sylvan feel. The dwellings along the lane are a mix of different ages, styles and materials, including a nearby contemporary dwelling. However, in general the dwellings are detached and occupy generous-sized plots with mature planted gardens, contributing to the spacious and secluded rural character of the area.

10. The pair of single storey semi-detached dwellings proposed would occupy the footprint of the existing building and would have a similar L-shaped plan form. They would be similar in terms of their general design, scale, materials and siting to an approved scheme for a four bedroom dwelling¹ and they would use the existing vehicular accesses. However, due to the semi-detached arrangement, sited at right angles to one another and the restricted width of one plot in comparison with most surrounding development, the proposed dwellings would appear poorly related to one another and would be entirely at odds with the more spacious pattern of development in the surrounding area in views from the adjacent lane.
11. The appearance of the new building as two separate dwellings would be emphasised by the subdivision of the appeal site to create two separate residential gardens. The domestic use of these areas is likely to be much more visually apparent, due to the increased instances of vehicle parking, bin storage, play equipment and other domestic paraphernalia, as well as the new boundary enclosures. Whilst no works to the trees on the appeal site are currently proposed, future occupiers of the proposed dwellings may wish to lop or fell trees or other planting to increase the useable areas of their gardens. This would all lead to the substantial erosion of the existing secluded rural characteristics and would create a much more suburbanised appearance.
12. Although the existing boundary planting might limit public views into the appeal site, especially during summer, it would not substantially offset the visual harm described above. Conditions removing 'permitted development' rights for extensions, outbuildings and boundary fences and walls together with restrictions on drying areas and external lighting could be imposed. However, such conditions would not in themselves prevent future development. Moreover, conditions could not be used to control most of the normal incidences of residential use described above. The future exercise of permitted development rights in respect of the approved dwelling would be unlikely to have a similar adverse effect on the character and appearance of its surroundings. Development associated with one dwelling is more likely to be visually assimilated into its surroundings, having regard to the size of the plot.
13. Therefore, the proposal would unacceptably harm the landscape and scenic qualities of this part of the AONB. Consequently, it would not accord with CS Policy SP5, as the natural environment would not be protected and conserved. The proposal would also not accord with CS Policy DM2, as it would not complement the character of the surroundings. Further, the proposal would not accord with CS Policy DM12, as it would not conserve and promote the landscape. It would also be inconsistent with policy P45 of the AONB Management Plan (MP), which requires development to compliment the character of the area and strengthen local distinctiveness. Whilst the MP does not have the same status as the Development Plan, its policies can carry some weight as it has been through a process of public consultation prior to its

¹ Council reference P/00225/15.

adoption. Also for the reasons identified above, the proposal would be inconsistent with paragraph 115 of the Framework concerning the protection of the landscape and scenic beauty of the AONB.

Other matters

14. The Council's adopted Solent Special Protection Areas (SPA) Supplementary Planning Document requires a financial contribution towards habitat mitigation within the SPA buffer zone. Although the appellant refers to submitting a Planning Obligation, as far as I have been able to ascertain one has not been received. However, as the appeal is being dismissed for other reasons it is not necessary to examine this matter in detail.
15. I acknowledge that the proposal would not adversely affect the living conditions of the occupiers of adjacent dwellings and there would be no adverse effect on highway safety or wildlife. However, these are neutral factors and do not weigh in favour of the proposal.

Planning balance

16. Whether the proposal would amount to sustainable development has to be assessed against the three mutually dependent objectives-economic, social and environmental-set out at paragraphs 7 and 8 of the Framework. The proposal would provide a modest economic benefit, principally in short-term employment in the construction sector during the build period. However, a similar benefit would be achieved by building the approved dwelling.
17. There would be a social benefit, as the proposal would make a small contribution towards addressing an identified local shortfall in the supply of smaller accommodation, for which a substantial future Island-wide demand has also been identified. Similar benefits would not be achieved by the approved scheme. However, due to the limited scale of the proposal, I afford this benefit moderate weight.
18. In environmental terms, the proposal would re-use previously developed land. However, it would also cause unacceptable harm to the landscape and scenic qualities of the AONB. Conservation of the AONB is a matter to which I am required to give great weight. Moreover, the proposal would not help mitigate and adapt to climate change including moving to a low carbon economy, on account of the reliance of the proposal on the private car to access local facilities and services. Consequently, the proposal would not contribute to protecting and enhancing the natural environment. The environmental harm identified above would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Consequently, the proposal would not amount to sustainable development.

Conclusion

19. The proposal would not accord with the Development Plan or the Framework and for the reasons given above I conclude that the appeal should be dismissed.

Stephen Hawkins

INSPECTOR