
Appeal Decision

Site visit made on 7 June 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 29 June 2017

Appeal Ref: APP/P2114/W/17/3170231

Dower Cottage (Grange Cottage), Hamstead Drive, Shalfleet, Yarmouth, Isle of Wight PO41 0YE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mrs Avril Young against the decision of Isle of Wight Council.
 - The application Ref P/00899/16, dated 27 June 2016, was refused by notice dated 24 August 2016.
 - The application sought planning permission alterations and conversion of part of workshop to form residential unit to include single storey rear extension without complying with a condition attached to planning permission Ref P/00583/15, dated 10 August 2015.
 - The condition in dispute is No 2 which states that: "The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered 382/DC/P01, 382/DC/PO2, 382/DC/PO3, 382/DC/PO4, 382/DC/E01, 382/DC/E03, 382/DC/E04, 382/DC/S01, 382/DC/S02, 382/location plan and block plan".
 - The reason given for the condition is: "For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the address as set out on the planning application forms.

Main Issues

3. The effect of the revised proposal upon the character and appearance of the existing building and surrounding area with particular reference to the landscape, scenic and natural beauty of the Area of Outstanding Natural Beauty (AONB). The effect of the proposal upon the living conditions of the occupiers of neighbouring dwelling with respect to outlook and privacy.

Reasons

Character and appearance

4. The appeal site is within a pleasant rural area amongst a loose collection of

dwelling and near to other rural buildings. These dwellings are in an otherwise very wooded, secluded area.

5. Dower Cottage is a 2 storey dwelling with a tiled, pitched gable ended roof which is stepped up a little from the line of the adjoining garage and workshop. These adjoining buildings and the existing dwelling have a simple appearance and basic liner form. Partially attached to the other end of the dwelling is Grange Cottage which is a single storey building perpendicular to Dower Cottage. These buildings together form a simple, low grouping which set down behind well established landscaping. They have a subtle, unassuming character which is appropriate to the rural, wooded setting.
6. A complete additional storey is proposed on top of the existing cottage including a pyramidal roof hipped on all sides with large windows within the each elevation. This would be a very strident addition which would be in stark contrast to the existing character of the buildings. The increased height and urban form would be much more noticeable above the surrounding hedges, from nearby properties and the nearby lane leading to the site. I do not share the appellant's view that the existing character of the site is one of gradual decay. Rather than improving it, I consider the proposal would be harmful to the simple rural charm of the buildings and surrounding land.
7. The existing planning permission (P/00583/15) and the alternative scheme more recently approved (P/01479/16) would involve the addition of substantial structures upon the existing roof of the building. However, both schemes would retain the basic form of the pitched, gable ended roof and would have a far less significant impact than the current proposal.
8. The proposal would have a harmful impact upon the character and appearance of the existing building and the surrounding area. This would have a harmful impact upon the landscape and scenic beauty of the AONB. This would not compliment the character of the surrounding area. Policy DM2 of the Island Plan¹ (IP) as referred to on the Council's decision notice would therefore not be complied with and it would constitute a poor design, not complying with paragraph 64 of the National Planning Policy Framework (Framework).

Living conditions

9. Dower Cottage would have first floor windows whether or not this current proposal is allowed. Furthermore, the existing approved schemes would provide an even higher vantage point over the adjoining dwelling and garden at Grange Cottage. Although more glazing is proposed within the current proposal, I do not consider the additional windows cause a harmful degree of additional overlooking of that or other surrounding dwellings.
10. The volume of building in close proximity to the garden of Grange Cottage would be more substantial. However, I do not consider that this would be overbearing for those adjoining residents.
11. In relation the second main issue the proposal would have an acceptable effect upon living conditions of neighbouring dwellings. The proposal would in these terms comply with IP Policy DM2 and the requirement in paragraph 17 of the

¹ Isle of Wight Core Strategy (including waste and minerals) and Development Management Development Plan Document, adopted March 2012

Framework to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

12. The appellant requires additional space for use as an artists' studio and also an occasional guest room. The proposal would provide more useable space than the previous approvals. However, this and my conclusion on the second main issue do not outweigh my conclusion on the first main issue particularly as I give great weight to conserving the landscape and scenic beauty of the AONB.

Conclusion

13. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR