
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/17/3167740

Mead View, 22 Church Road, Shanklin PO37 6QY

- 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 Mark and Sarah Pittard against the decision of Isle of Wight Council.
 - The application Ref P/01426/16, dated 24 October 2016, was refused by notice dated 22 December 2016.
 - The development proposed is a new 3 bed house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the proposal upon the character and appearance of the area with particular reference to trees.

Reasons

3. The appeal site is within the grounds of No 22 Church Road which has been converted into flats. This building is a substantial traditional looking building constructed of stone with primarily pitched roofs and prominent gables facing towards Church Road. A high flat roofed element on the front and side of the building does not detract significantly from the merits of the building.
4. This side of Church Road is built up with a variety to the style and age of the buildings. The buildings are largely set back from the road which has enabled the establishment of landscaping including substantial trees and which contributes to the verdant semi-rural feel of the area. The large horse chestnut tree along on the boundary at the front of the site contributes significantly to this leafy feel. A noticeable gap to the side of No22 and the more modern buildings enable a view through from the road towards the backdrop of trees which includes a large red-oak tree which is even more noticeable from inside the site and nearby rear gardens. The red-oak also provides a broader softening of the built environment which can be appreciated from public viewpoints in front of the site. These trees have a high amenity value.
5. The proposed building would be positioned to the rear and side of No 22. It would be of a traditional design that would reflect the features of the existing building. However, as a 2 storey building albeit on a lower level than the front of the site and the road, it would obstruct a substantial amount of space to the side of the existing building. Even though some space would be retained on

the other side of the boundary fence and above the building (allowing a remaining view of the canopy of the red-oak), the loss of space as well as the partial obstruction of the red-oak would have an urbanising impact.

6. The proposed building would also present a large bulky structure shortening the long plot which would obstruct the view of the red-oak for neighbouring properties. Although this building would be in line with some of the modern neighbouring properties, it would go against the existing pattern of development including the site and those plots to the south western side. This would be detrimental to the character of the area as appreciated from the neighbouring properties, including the flats within No 22.
7. Added to the above impacts, it is clear from the appellant's arboricultural evidence that the proposed building would be well within the indicative shade range of the red-oak and the root protection area (RPA). The shadowing was clear to me at my site visit on a bright, sunny day at around 09.30 hours. The degree of shading will vary through the day but it would bring about oppressive living conditions for the occupants of the building. This in turn could result in the Council coming under pressure to carry out works to that tree that could reduce its current high amenity value. The encroachment within the RPA would also make it difficult to effectively protect the tree during construction.
8. The additional parking at the front of the site would not have a significant visual impact. The works to the wall at the front could include some improvement to that structure which is currently in some disrepair. These improvement as well as additional landscaping may compensate for the additional opening and it may be possible to keep these works outside of the RPA of the horse chestnut. However, this would not overcome the above harmful impacts.
9. In relation to the main issue, the proposal would have a harmful impact upon the character and appearance of the area. This would not protect the environment and would not have sufficient regard to constraints. This would not comply with Policy DM2 of the Island Plan¹ (IP) and would be poor design, in terms set out in paragraph 64 of the National Planning Policy Framework.

Other Matters

10. The proposal would provide additional housing within Shanklin, a key regeneration area as identified in IP Policy SP1. This would be a benefit of limited weight in favour of the proposal. There would be some impact upon the privacy of neighbouring properties due to the position of the proposed dwelling. However this would not be any more harmful than the existing degree of inter-visibility between existing properties. Overall these other matters do not outweigh my conclusions on the first main issue.

Conclusion

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

Andy Harwood

INSPECTOR

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