
Appeal Decision

Site visit made on 4 July 2017

by H Butcher BSc (Hons) MSc MRTPI

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

Decision date: 17 August 2017

Appeal Ref: APP/P2114/W/17/3169284

Fernlea, Buckbury Lane, Newport, PO30 2NJ

- 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 K Sesetti against the decision of Isle of Wight Council.
 - The application Ref P/00448/16, dated 30 March 2016, was refused by notice dated 26 July 2016.
 - The development proposed is a new house and access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: (i) The effect of the development on the character and appearance of the surrounding area, and; (ii) The effect of the development on ecology.

Reasons

Character and appearance

3. Buckbury Lane has a number of separate and distinctive branches. The part of Buckbury Lane on which the appeal site is located is open and rural interspersed only by a few intermittent dwellings which include Fernlea. In contrast, Buckbury Lane to the north of the appeal site is markedly more developed, falling within the settlement boundary for Newport. Consequently there is a very obvious demarcation between the countryside and settlement in the area surrounding the appeal site.
4. The proposal is for a fairly substantial four bedroom barn style dwelling. It would be located in an open field clearly within an area of countryside away from the settlement to the north, and set apart from Fernlea and the other few sporadic dwellings in this area. It would therefore not relate well to existing development. Rather it would appear as an intrusion of the built form into an area of open countryside which would be harmful to the character and appearance of the area. The dwelling would be visible from the new entrance. Elevated views of the site would also be possible from the north in spite of existing hedgerows and trees and these views are also likely to open up further in winter months.
5. For these reasons the proposal would be harmful to the character and appearance of the surrounding area and as such would conflict with Policy DM2

of the Isle of Wight Core Strategy (2012) (CS) which requires development to protect, conserve and enhance the existing environment by integrating with its surroundings.

Ecology

6. The appeal site is not the subject of any international, national or local designation. The Council have, nevertheless, raised concern over the ecological value of the site and the potential impact of the development on protected species and their habitats. However, no robust evidence has been provided in this regard. On the evidence before me I consider that, subject to a suitable condition requiring an assessment of the site and if necessary measures to avoid, mitigate or compensate for any harm, the ecological interests of the site would be protected. I therefore find no conflict with Policy DM12 of the CS which requires proposals to conserve, enhance and promote the biodiversity interest of the island.

Other matter

7. Although it did not form a reason for refusal, the Council have set out in their appeal statement that a financial contribution is required as the development would be within a 5.2km buffer zone around the Solent Special Protection Area. I have not been provided with any supporting documentation in respect of this nor is there a suitable mechanism before me to secure such a contribution. However, as I am dismissing for other reasons I am not pursuing this matter as it could not lead me to a different decision on the appeal.

Conclusion

8. The Council accept that the proposal would make a small contribution to housing delivery. I also note that the site could be brought forward quickly and it is close to local facilities and public transport. These matters weigh in favour of the proposal albeit to a limited degree. However, even taking the above points together these would be significantly and demonstrably outweighed by the harm to the character and appearance of the area that I have found. The proposal is therefore not sustainable development which there is a presumption in favour of. For this reason, and having regard to all matters raised, the appeal is dismissed.

Hayley Butcher

INSPECTOR