
Appeal Decision

Site visit made on 26 June 2017

by A Napier BA(Hons) MRTPI MIEMA CEnv

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

Decision date: 29 August 2017

Appeal Ref: APP/P2114/W/17/3172422

5 New Road, Lake, Isle of Wight PO36 9JN

- 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 Mike Plapp against the decision of Isle of Wight Council.
 - The application Ref P/01523/16, dated 21 November 2016, was refused by notice dated 16 January 2017.
 - The development proposed is new detached house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposal on the character and appearance of the area; and
 - Whether or not the proposal would make appropriate provision for the living conditions of existing neighbouring occupiers and its own potential future occupiers, with particular regard to outlook, light and amenity space.

Reasons

Character and appearance

3. The appeal site is located within a largely residential area, although an office exists adjacent to the site and it is in close proximity to Sandown Road, which includes a range of different commercial uses. The site forms part of the rear garden of a dwelling that fronts New Road, although the site is proposed to be accessed by an existing driveway from Lake Green Road, which currently provides access to a garage that serves the host dwelling. The appeal proposal would result in the removal of the garage and erection of a detached two-storey dwelling, with a parking and turning area within the site.
4. Although the pattern of development within the area predominantly consists of linear rows of semi-detached or detached dwellings fronting the highway, it is not uniform. Exceptions exist, such as terraced houses and flatted development, and include a pair of semi-detached houses, No's 19 and 21 Percy Road, and a modest detached single storey dwelling, No 17 Percy Road, accessed by a footpath and located between Percy Road and New Road.
5. In the main, the houses fronting New Road have relatively generous, largely undeveloped rear gardens. However, the office development adjacent to the

- appeal site includes a sizeable single storey rear projection and parking area, which extends along the frontage of Lake Green Road and provides a degree of enclosure to the appeal site on this side.
6. The appeal dwelling would be sited broadly in line with the adjacent dwelling, at No 2 Lake Green Road. However, due to the configuration of the road network and the intervening office development neighbouring the site, it would be set back some considerable distance from the highway and, with the exception of the relatively narrow access drive, most of the appeal site would be located to the rear of the neighbouring office site.
 7. Within this context, the development of a detached two-storey dwelling as proposed would be materially at odds with the prevailing pattern of nearby development and would have a poor physical and visual relationship to the existing development around it. In addition, the proposal would result in a notable increase in built development and the loss of an area of garden, which would markedly reduce the visual separation between the existing buildings on New Road and Lake Green Road, particularly at first floor level.
 8. As a result, the proposal would diminish the existing contribution of the site to the character of the area. Furthermore, even taking into account the existing variety of built form within the locality, due to the scale and uncharacteristic siting of the proposal, the development as proposed would result in an incongruous and visually intrusive form of development. It would appear as an awkward and unsympathetic addition, which would cause harm to the character of the area and be detrimental to the appearance of the streetscene.
 9. The removal of the existing garage would have some benefit to the appearance of the area. However, given the modest form, single-storey scale and recessive siting of the existing structure, the extent of this would be very modest. The appearance of the appeal dwelling would be broadly similar to the adjacent property at No 2 and sufficient space would exist around the building, so that the proposal would not appear unacceptably cramped. Nonetheless, none of these matters, either individually or cumulatively, would outweigh or address the harm identified above.
 10. The existing dwellings referred to above, in Percy Road, are materially different in their siting, layout and relationship to other development nearby and, in terms of No 17, in its scale. As a result, the impact of these existing dwellings on the surrounding area is not directly comparable to that of the appeal scheme. Moreover, the existence of development elsewhere does not represent an appropriate reason to find in favour of a scheme that would cause harm, or lead me to alter my findings above.
 11. Accordingly, I conclude that the proposal would be materially harmful to the character and appearance of the area. It would be contrary to the *Isle of Wight Core Strategy (including Waste and Minerals) and Development Management Development Plan Document 2012* Policy DM2, which seeks to protect local character and appearance. It would also not meet the aims of paragraph 17 of the National Planning Policy Framework (the Framework), to achieve high quality design and take account of the different roles and character of different areas. I give this significant weight.

Living conditions

12. The appeal dwelling would be situated broadly to the south of No 2 Lake Green Road. However, it would be separated from this neighbouring dwelling by the garage serving that property and the proposed access drive. Furthermore, from the size and position of the fenestration on No 2, it would appear that the main outlook of that property is not to the side. As such, due to the relatively small size of the first floor windows on the side elevation of No 2 and the separation distances proposed between this neighbouring dwelling and the appeal dwelling, I am satisfied that the proposal would not result in unacceptable overshadowing, loss of light, or outlook for the neighbouring occupiers.
13. The submitted details indicate that part of the existing garden area would be retained to serve the host dwelling and space would be provided within the appeal site to serve the proposal. I have not been advised of local standards in this respect and the extent of amenity space provision within the area appears to vary. I am also mindful that individual preferences and requirements for outdoor amenity space can differ. Whilst the amount and configuration of garden space proposed to serve the appeal dwelling would be somewhat constrained, taking into account the relatively modest size of the proposed dwelling, the space proposed would appear to me to be reasonably likely to meet the needs of some potential future occupiers. Furthermore, the extent of retained garden space to serve the host dwelling would also appear reasonable in this regard. As such, this is not a matter that counts against the proposal.
14. Accordingly, for these reasons, I conclude that the proposal would make appropriate provision for the living conditions of existing neighbouring occupiers and its own potential future occupiers. No specific development plan policies have been drawn to my attention in this regard. However, the proposal would meet the aims of paragraph 17 of the Framework, to achieve a good standard of amenity for all existing and future occupants of land and buildings.

Other matters

15. The appeal scheme would result in the provision of a new dwelling within an existing settlement, in a location that is within easy reach of a range of local services and facilities. As such, it would contribute to meeting local housing needs and be likely to result in support for these local services, both during construction and following occupation. Given the limited scale of the proposal, the resulting benefits are likely to be modest. Nonetheless, they weigh in favour of the scheme and, having regard to the general support within the Framework for such development, I give them moderate weight.
16. The appellant has submitted a completed unilateral undertaking, which would provide a financial contribution towards habitat mitigation measures, in the event that the appeal is allowed. It is not a matter of contention that this planning obligation would meet the requirements of the Council's Supplementary Planning Document (SPD) in this regard and, as such, I am satisfied that the appeal proposal would not be likely to have an adverse impact on the nearby Solent Special Protection Area (SSPA).
17. The three roles of sustainable development are mutually dependent. Paragraphs 6-9 of the Framework indicate that 'sustainability' should not be

interpreted narrowly. Elements of sustainable development cannot be undertaken in isolation but should be sought jointly and simultaneously. Sustainable development also includes 'seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life'. For the above reasons, I conclude that the harm identified to the character and appearance of the area would significantly outweigh the benefits of the scheme and its absence of harm in relation to the SSPA and living conditions. The proposal, therefore, would not represent sustainable development.

18. The Parish Council has also raised concerns about the proposed access and parking arrangements. However, in this particular case, it is not necessary for me to consider this matter further, as it would not lead me to alter my conclusions above.
19. A number of examples of other developments within the area have been drawn to my attention. I do not have full details of these schemes or the background to those decisions. However, from the limited information available to me, they would appear to differ from the appeal scheme in their location, design, scale and relationship to other development nearby. As such, I consider that these other examples are not directly comparable with the scheme before me, which I have considered on its merits and in light of all representations made.

Conclusion

20. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

A Napier

INSPECTOR