The Planning Inspectorate

Appeal Decision

Site visit made on 28 January 2020

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2020

Appeal Ref: APP/P2114/W/19/3238512
37 Woodvale Road, Gurnard, Isle of Wight PO31 8EE

- 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 and Mrs Richard Basford against the decision of Isle of Wight Council.
- The application Ref 19/00077/FUL, dated 10 April 2019, was refused by notice dated 19 June 2019.
- The development proposed is the demolition of the existing bungalow, garage and sheds and the construction of a new house, carport, guest wing and swimming pool.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellants have submitted revised plans with the appeal referenced 2018/RB/W01 Rev D and Rev E and 2017/RB/W02 Rev C. Both Rev D and Rev E of plan 2018/RB/W01 differ from the original plans in that they omit a second access point and rely on the existing access as the only vehicular entrance. The plans also provide more detail regarding the proposed front balcony and provide a comparison between the footprint and profile of the existing and proposed dwellings. As the amendments relate to minor matters of detail or further illustration, I do not consider that they significantly change the nature of the development. On that basis, I am satisfied that no parties would be prejudiced by my determining the appeal in relation to the revised plans.

3. I have been provided with a copy of the Gurnard Neighbourhood Development Plan 2016-2027 (NP) which forms part of the development plan. However, neither party relies upon specific policies within the NP as part of their case, and I have little basis to find otherwise. Accordingly, although I have had regard to the NP, I have not referred to it further in my decision.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the area, the living conditions of the occupants of 39 Woodvale Road with particular regard to privacy and outlook, and highway safety with particular regard to the access.

Reasons

Character and appearance

5. The section of Woodvale Road nearest the appeal site comprises predominantly detached residential dwellings comfortably set within established gardens. Whilst there is some variety within the housing type nearby, the majority are of a conventional traditional construction. The regular plots, clear building lines, topography and planting results in a well ordered, pleasant sub-urban character to the area.

6. The appeal site currently accommodates one such detached dwelling and is a conventional, modest chalet bungalow with a hipped roof which as a corner plot presents elevations onto Woodvale Road on two sides. Its form and materials respect the scale and grain of the established urban fabric and thereby complements the character and appearance of the area.

7. The proposal would replace the existing dwelling with a detached two storey house of a contemporary design that incorporates a flat roof, extensive glazing and guest wing to the rear. Whilst the main footprint of the dwelling would generally be in a similar location to the existing dwelling, the comparison plan[1] shows that its position would be further forward towards the road than the existing principal elevation. In addition, the continuous carport and guest wing would significantly elongate the footprint towards the back of the site resulting in a noticeably larger footprint overall.

8. The development would provide considerably greater accommodation at first floor level than the existing dwelling. Notwithstanding the articulation that a range of materials might provide, the increased volume combined with the flat roof form of the proposal, would markedly add to the bulk and massing of the built form at the site. This is illustrated in the CGI views and elevation profile comparison[2] plan provided. The extent of the increased scale and bulk of the resultant building would be at odds with, and harmful to, the surrounding pattern of development.

9. When this is combined with the larger footprint which would take parts of the building closer to Woodvale Road on two sides the impact would be exacerbated. The elongated south eastern elevation facing Woodvale Road and stone-faced corner of the main dwelling would be particularly prominent. This would make the building unduly dominant within the street scene and clearly visible from the road resulting in visual harm.

10. Reference is made to paragraph 131 of the National Planning Policy Framework (the Framework) which indicates that great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area. However, this is on the proviso that the design fits in with the overall form and layout of their surroundings, which, for the reasons already outlined, would not be the case for the scheme before me.

11. Moreover, although Paragraph 127c) of the Framework indicates that planning decisions should not prevent or discourage appropriate innovation or change, development should nevertheless be sympathetic to local character and

[1] Drawing no: 2018/RB/W01E
[2] Drawing no: 2017/RB/W02C

history, including the surrounding building environment. On this basis, I acknowledge that there is some variety in the form and materials used in the surrounding street scene. As such, I accept that a design concept that proposes a contemporary style of dwelling utilising interesting glazing and a mix of materials would not necessarily be harmful. However, in this case it is the proposed scale and bulk of the built form and its wider prominence that would be unsympathetic to, and would relate poorly with, the character and appearance of the area.

12. My attention is drawn to several examples of contemporary style dwellings that the Council have found to be acceptable. Of these, the closest to the appeal site, and therefore the most relevant, is at 41 Woodvale Road whereby a remodelled dwelling larger than the original chalet bungalow was permitted. However, based on the limited information provided, it is not shown that the increase in bulk and massing was to the same extent or greater than the proposal before me, as it retains a pitched roof and does not appear to include an extended guest wing. Moreover, the siting of No.41 is less prominent than the appeal site as it does not comprise a corner plot but is set back between existing dwellings. Accordingly, although of some relevance, the circumstances are not directly comparable with the appeal proposal, and it is therefore of limited weight.

13. I have also had regard to the four other examples referred to[3]. However, these are some distance from the appeal site such that they would not generally be seen in views with it and therefore, the immediate context of each individual site is likely to be different. In addition, in relation to the replacement dwellings, I am not provided with details of the original structure that was replaced, which inhibits a meaningful comparison with the appeal proposal. Therefore, based on the information before me, it is not shown that the circumstances are sufficiently comparable to the appeal proposal to carry more than little weight in each case. In any event, I have considered the appeal proposal on its own merits.

14. The appellants point out that the Council have not produced supplementary design guidance or design codes to guide proposals in the area. Be that as it may, this does not justify design that would be harmful to its surroundings. I have also taken into account the representations of support from some local residents. Nevertheless, I am required to make a judgement on my own observations and the evidence before me, and their comments do not lead me to a different view.

15. Accordingly, I find that due to the increased scale and bulk of the proposal, it would have a harmful effect on the character and appearance of the area contrary to policy DM2 of the Island Plan, Isle of Wight Core Strategy (including Waste and Minerals) and Development Management Development Plan Document, March 2012 (IP), which seeks to support high quality design for new development. It includes, amongst other matters, an expectation that development will complement the character of the surrounding area.

Living Conditions

16. The proposal would increase the volume at first floor level in comparison to the existing bungalow. However, it would maintain the separation distance from

[3] 4 Princes Esplanade, 38 Park Road, 31 Lower Church Road and 51 Worsley Road

the adjoining boundary with 39 Woodvale Road that currently exists. In addition, the two-storey element would broadly align with the building footprint of No.39. As such, the proposal would be unlikely to significantly alter the existing outlook for residents of the adjacent property.

17. The proposed kitchen windows at first floor would generally face towards the roof slope of No.39 in a similar way to the existing first floor bedroom window within the chalet bungalow and therefore, the degree of overlooking to the neighbouring property would not be noticeably increased. Moreover, the rear first floor decking area would be adequately screened by a solid wall such that the level of privacy enjoyed by the occupants of No.39 whilst inside the property or using their rear garden would be largely unaffected.

18. The Council raise concerns regarding the first floor balcony on the south west elevation primarily facing towards Woodvale Road, which would be large enough to allow for occupants of the property to sit out. Although the finish of the glass balustrade shown could provide for a degree of screening, some side views over the front garden of No.39 would remain possible. Nevertheless, the principal elevation of No.39 faces towards Woodvale Road with this portion of the garden in between the house and the road. Therefore, it has a conventional layout with additional garden space to the rear such that it would be unreasonable to expect the same level of privacy within the front garden that lies adjacent to the road, as to the generally more private rear garden. In this context the level of overlooking from the proposed balcony would not be unacceptable.

19. Furthermore, I observed that the front balcony at No.41 has a similar relationship with the front garden to No.39 to that proposed. The evidence does not indicate that this has resulted in unreasonable living conditions for the occupants of No.39.

20. As a result, I find that the proposal would provide satisfactory living conditions for the occupants of 39 Woodvale Road with regards to privacy and outlook. Therefore, in relation to this matter I find no conflict with policy DM2 of the IP which generally supports proposals for high quality and inclusive design but does not specifically refer to living conditions.

Highway Safety

21. The Council raised concerns in relation to the proposed creation of an additional vehicular access point due to the lack of visibility as the proposed access was nearer to the bend in Woodvale Road and its junction with Jordan Close. However, the amended layout plan submitted proposes the use of the existing single access point. The removal of the second access point directly addresses the concerns raised. This is reinforced by the comments of the Highway Authority who do not object to the revised access arrangement[4].

22. Therefore, I find that the proposal would provide a safe and suitable access for the development and, in relation to this issue, would not conflict with the criteria in policy DM2 of the IP which seeks to support proposals for high quality and inclusive design.

[4] Highway representation dated 27.1.19

Conclusion

23. For the reasons given above, although I find that the proposal would not be harmful to highway safety or the living conditions of neighbouring occupiers, I have concluded that the proposal would have a harmful effect on the character and appearance of the area. Therefore, the appeal should be dismissed.

Helen O'Connor

Inspector