



Appeal Decision

Site visit made on 14 February 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2020

Appeal Ref: APP/P2114/W/19/3238940

Land fronting and to South of 69-75 Wellington Road, Newport, Isle of Wight

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Alison Healy against the decision of Isle of Wight Council.
 - The application Ref 19/00088/OUT, dated 12 April 2019, was refused by notice dated 29 July 2019.
 - The development proposed is described as 'building plot revised access and parking 69 to 75 Wellington Road Newport'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline, with all matters reserved for subsequent determination. I shall proceed on this basis.
3. The site's address indicated on the application form has been amended in subsequent documents. I have adopted the address included on the appeal form, as it accurately refers to the appeal site.

Main Issues

4. The main issues are:
 - The effect of the proposal upon the character and appearance of the area; and
 - Whether the proposal would provide satisfactory living conditions for future occupiers;

Reasons

Character and appearance

5. The appeal site forms a prominent corner plot at the junction between Wellington Road and Purdy Road and lies within an area of primarily residential character, which includes properties of different types and sizes. The site comprises a small area of landscaped open space, which softens the visual impact of the single storey commercial units fronting Wellington Road, and the associated car parking area.

6. The proposed dwelling would be constructed on the northern side of Purdy Road, where residential properties are typically set back, at an angle, in relation to the road frontage. The proposed dwelling would appear at odds with the established pattern of development in that regard, and would occupy a significant proportion of the plot. The building's excessive footprint and its inherent proximity to several of the site's boundaries would result in a cramped form of development which would dominate the site and harmfully contrast with the positive contribution currently made by this soft landscaped area.
7. As detailed above, matters such as appearance, scale and layout would be reserved for subsequent determination. Nevertheless, I find that the construction of an additional dwelling, with its associated car parking space and domestic paraphernalia would inevitably have a harmful impact on the character and appearance of the area, by reason of the constrained size and prominent position of the proposed plot. Although the indicative plans suggest that new planting would be provided along the Wellington Road frontage, limited information has been submitted to illustrative the visual effect of any landscaping scheme. Additionally, the landscaped area is unlikely to be large enough to provide a satisfactory level of mitigation.
8. It is noted that the site constitutes previously developed land within the settlement boundary of Newport and the appeal development may improve existing vehicular arrangements to the commercial premises, but this would nevertheless not outweigh the harm which I have identified.
9. For these reasons, I conclude on this main issue that the proposal would unacceptably harm the character and appearance of the area. It would therefore conflict with the aims of Policies SP1 and DM2 of the Isle of Wight Core Strategy¹ (CS) which, amongst other things, seek to ensure that development proposals complement and enhance the character and context of the local area. For the same reasons, the proposal would also fail to accord with paragraph 127 of the National Planning Policy Framework (the Framework).

Living conditions for future occupiers

10. The constrained size of the plot would inevitably leave little space for the provision of any usable, private outdoor amenity space, when the footprint of the proposed dwelling and the provision of a vehicular access and car parking space are accounted for. Having regard to the available information, the remaining outdoor areas would not be large enough to accommodate any paraphernalia such as a washing line, table and chairs, barbecue or to store any garden furniture and bins for example. Furthermore, the size of the outdoor amenity area would be wholly inadequate for a two-bedroom dwelling, which could legitimately accommodate a small family.
11. In the absence of evidence demonstrating otherwise, the activity associated with the commercial premises could also have a significant detrimental effect on the living environment which would be provided for future occupiers, having regard to noise and disturbance in particular. On the basis of the available information, it is however unclear how this issue could be addressed, given the dwelling's proximity to the service road for the commercial units.

¹ March 2012.

12. The proposed development would fail to provide satisfactory living conditions for future occupiers of the development and would subsequently conflict with CS Policy DM2, which notably requires development proposals to be of a high quality and inclusive design. It would also fail to accord with paragraph 127 of the Framework, which seeks to ensure that development proposals provide a high standard of amenity for existing and future users.

Other Matters

13. The appeal site lies within proximity to the Solent Special Protection Areas (SPAs). The Solent Recreation Mitigation Strategy (SRMS), which has been prepared by the Council, in conjunction with other Local Authorities and Natural England, seeks to address the in-combination effects of increased recreational pressure on the Solent SPAs arising from residential development. The SRMS requires new residential developments located within 5.6km of the Solent SPAs to make a financial contribution towards mitigation measures, which are normally secured through the completion of a planning obligation. The appellant has submitted a signed and dated Unilateral Undertaking. However, as I am dismissing the appeal on other substantive grounds, it is not necessary for me to give this matter further consideration.
14. The Council's submissions also refer to contributions towards affordable housing, which are required as part of the development. Limited information has been provided in this regard, other than a copy of the Council's Affordable Housing Contributions Supplementary Planning Document (adopted March 2017). Notwithstanding this, given my findings on the main issues, this is not a matter which needs to be considered further here.
15. I am in no doubt that the Council had regard to the representations made in favour of the proposal, as referenced within the Case Officer's report. Notwithstanding this, the support expressed by interested parties does not provide justification for a development which is found contrary to the development plan.

Planning Balance

16. The Council is currently unable to demonstrate a five-year supply of deliverable housing sites. This is not disputed by the Council, although I have not been provided with information regarding the extent of the shortfall. In such circumstances, paragraph 11 d) of the Framework, as directed by Footnote 7, indicates that the policies which are most important for determining the application are considered out-of-date. In the absence of policies within the Framework protecting areas or assets of particular importance which are relevant to this proposal², paragraph 11 d) states that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
17. The construction of a dwellinghouse would bring some economic benefits, notably during the construction phase. Future occupiers may then use local services and facilities. Socially, the provision of an additional property would contribute towards housing supply and choice, but the benefits resulting from the proposal would remain very modest. Against that, good design is also part

² Paragraph 11d) and Footnote 6.

of the social aspect of sustainable development and I have found harm relating to the living environment which would be provided for future occupiers. Furthermore, I have identified a significant adverse effect on the character and appearance of the area, which subsequently means that the environmental objective would not be fulfilled.

18. The adverse impacts of granting planning permission would significantly and demonstrably outweigh the relatively limited benefits which would be derived from the proposal when assessed against the Framework as a whole. There are no other material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

Conclusion

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

S Edwards

INSPECTOR