



Appeal Decision

Site visit made on 14 February 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2020

Appeal Ref: APP/P2114/W/19/3240066

Land at Bevois Farm and north of 1 North Butts Cottages, Newport Road, Niton PO38 2DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs K Whittington against the decision of Isle of Wight Council.
 - The application Ref P/00275/19, dated 8 March 2019, was refused by notice dated 3 May 2019.
 - The development proposed is described as 'terrace of three houses; carport; access track'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site would provide a suitable location for the proposal, having particular regard to the effect of the development on the character and appearance of the area.

Reasons

3. Policy SP1 of the Isle of Wight Core Strategy¹ (CS) outlines the Council's spatial strategy, and sets out the settlement hierarchy for development proposals. The strategy seeks to direct development on appropriate land within or immediately adjacent the defined settlement boundaries (DSB) of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres, and by prioritising previously developed land (PDL).
4. Located to the East of Newport Road, the appeal site lies beyond the built-up area of Niton, but immediately adjacent to the DSB of this village, which Policy SP1 identifies as a Rural Service Centre. This greenfield site forms part of Bevois Farm, which is used for equestrian and agricultural purposes and notably comprises a number of paddocks. As such, this area of land has a stronger affinity with the surrounding countryside over which it provides extensive views, than with the adjacent village of Niton.
5. In respect of Rural Service Centres, Policy SP1 adds that proposals on greenfield and/or non-previously developed land have to demonstrate that deliverable PDL is not available, and an identified local need will be met. The appellant relies on the most recent Strategic Housing Land Availability

¹ March 2012.

Assessment², and explains that only one of the sites assessed was found to be deliverable, for which outline planning permission³ for nine dwellings was recently granted by the Council. Additionally, my attention has been drawn to Niton and Whitwell Housing Needs Survey 2014-2019 and the Council's Housing Needs Assessment adopted in 2018. These clearly establish an identified local need within Niton for the proposed dwellings.

6. No 1 North Butts Cottages, which is adjacent to the appeal site, delineates the natural edge of the village. This is consistent with the settlement boundary which has been established for Niton as part of the Council's spatial strategy. Notwithstanding this, a significant visual gap would be retained between Niton and Kingates as a result of the development, which would therefore prevent the inappropriate coalescence of these settlements.
7. Although the appeal site is not subject to any specific designation, it forms part of a larger field which includes a number of small individual paddocks occupied by timber field shelters and lies within a pleasant rural landscape. The use of traditional materials and the detailed appearance of the cottages would reflect their rural setting and appear consistent with other buildings located within the village. Even so, the proposal would introduce a large building which would be constructed within proximity to the boundary shared with North Butts Cottages. Though they would sit at a lower level than these adjacent properties, the proposed dwellings would be highly visible from the road and stand out as a significant intrusion of built development in the countryside, which would erode the contribution made by the site to the spacious and open rural character of the area.
8. Although it would have the appearance of a traditional cart shed, the erection of a car port large enough to accommodate up to six cars to the rear of the proposed dwellings, would further exemplify the sprawling incursion of residential development into the countryside. The resultant urbanising effect of the scheme would also be exacerbated by the provision of turning areas and gravel driveway with a passing point, together with the introduction of domestic paraphernalia that is typically associated with residential development. Although additional planting could to some extent assist with softening the effect of the proposal, this would not outweigh the harm which I have identified.
9. In reaching these conclusions, I have had regard to the planning application at Hoyes Farm⁴, on the opposite side of Newport Road, which has been brought to my attention. Although I understand that the visual impact of the development was considered acceptable by the Council in respect of this application, I am not certain that the details of that particular case are comparable to the proposal before me.
10. Furthermore, the appellant has referred to an appeal decision⁵ related to a large residential scheme on a site adjoining the DSB of the Medina Valley Key Regeneration Area, which includes Cowes. The circumstances of this development do not, however, represent a direct parallel to the proposal before

² 2018.

³ Local Planning Authority Reference P/00395/17.

⁴ Local Planning Authority Reference P/00253/17.

⁵ APP/P2114/W/14/3001191.

me, notably in respect of scale and location. Accordingly, this decision is considered of limited relevance to this appeal.

11. I have been provided with limited information regarding the outline scheme on land rear of 15 to 18 Priory Walk and adjacent to 17 Chatfeild Road⁶ mentioned by the appellant and cannot make a direct comparison with the appeal development which, in any event, I am required to determine on its individual merits. Notwithstanding this, in respect of development proposals immediately adjacent to DSBs, it will inevitably be a matter of judgement, for the decision-maker, to assess whether the proposal would enhance the character and context of the local area, as per the requirements of Policy SP1.
12. For the foregoing reasons, the appeal development would unacceptably harm the character and appearance of the area. It would therefore be contrary to CS Policy SP1, by failing to enhance the character and context of the local area. The proposal would also conflict with CS Policies DM2 and DM12, which notably seek to ensure that developments proposals are of a high quality and inclusive design to protect, conserve and enhance the existing environment whilst complementing the character of the surrounding area.

Other Matters

13. Concerns have been raised notably in respect of the effect of the development on the living conditions of the occupiers of no 1 North Butts Cottages. However, the Council did not object to the proposal on these grounds, and there are no reasons for me to take a different approach.

Planning Balance

14. The Council accepts that it is unable to demonstrate a five-year supply of deliverable housing sites, although I have been provided with limited evidence regarding the extent of the shortfall. In such circumstances, paragraph 11 d) of the National Planning Policy Framework (the Framework), as directed by Footnote 7, indicates that the policies which are most important for determining the application are considered out-of-date and that 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.
15. The appeal scheme would support the economy to some extent, notably through the creation of work opportunities and demand for materials during the construction phase. Beyond that, future occupiers may use local services and facilities available in the village. It can be argued that part of the social dimension of sustainable development would be fulfilled as the proposal would contribute towards housing supply and choice. However, although smaller developments may have a cumulative value, the contribution made by three additional dwellings would be limited. Against that, I have found harm in respect of the effect of the proposal on the character and appearance of the area. The environmental objective would therefore not be fulfilled.
16. Consequently, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the modest benefits which would be derived from the proposal. Taken as a whole, the appeal scheme does not constitute sustainable development which the Framework carries a

⁶ Local Planning Authority reference P/00395/17.

presumption in favour of. There are no other material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

Conclusion

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

S Edwards

INSPECTOR