

Appeal Decision

Site visit made on 16 September 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 October 2020

Appeal Ref: APP/P2114/W/20/3254452

31 Forest Road, Newport, Isle of Wight PO30 5HX

- 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 Mr S Wallder (Wallder Developments) against the decision of Isle of Wight Council.
 - The application Ref 19/01329/FUL, dated 28 October 2019, was refused by notice dated 18 December 2019.
 - The development proposed is described as 'erection of detached dwelling to rear of 31 Forest Road Newport facing onto Albany Road'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the character and appearance of the area;
 - The effect of the development on the living conditions of the occupiers of no 38 Whitesmith Road and no 29 Forest Road, with particular regard to privacy and outlook; and
 - Whether the car parking provision for the proposal would be adequate.

Reasons

Character and appearance

3. The appeal site currently forms part of the rear garden of no 31 Forest Road and comprises a number of outbuildings and garages. The site backs onto Albany Road which, at that point, forms a turning head primarily lined with bungalows set back from the road frontage. As part of the proposal, the existing outbuildings and garages would be demolished and replaced with a detached dwelling, which would front Albany Road.
4. The appeal site lies within the settlement boundary of Newport, where the principle of residential development is not at issue. However, in an area which, as noted above, is predominantly characterised by single storey houses, the proposed dwelling would unduly stand out as an incongruous and unduly prominent form of development. The height, scale and footprint of the new dwelling relative to the size of its plot would appear excessive and subsequently fail to relate to its immediate surroundings. The cramped nature of the development would be further exemplified by the proportions of the dwelling which, as a result, would appear squeezed into this constrained plot.

5. For these reasons, the appeal scheme would detract from the established pattern of development and cause unacceptable harm to the character and appearance of the area. It would therefore conflict with Policies DM2, SP1 and SP2 of the Isle of Wight Core Strategy¹ (CS) which, amongst other things, expect development proposals to complement the character of the surrounding area, but also provide an attractive, functional, accessible, safe and adaptable built environment with a sense of place.

Living conditions

6. By reason of their position within the roof plane, the proposed rooflights would prevent any harmful loss of privacy for the occupiers of no 29 Forest Road. However, the overall height and bulk of the new dwelling, which would be constructed immediately adjacent to the boundary shared with this neighbouring property, would be substantial. The proposal would consequently result in an unneighbourly form of development, which would appear oppressive and overbearing to these neighbouring residents.
7. Although the proposed dormer windows to the front elevation of the new dwelling would look directly onto Albany Road, they would also enable views into the private rear garden of no 38 Whitesmith Road, and from a modest distance. This would give rise to harmful overlooking, which would be detrimental to the living conditions of the occupiers of this neighbouring property, and adversely affect their enjoyment of their private amenity space.
8. The appeal scheme would cause unacceptable harm to the living conditions of the occupiers of nos 29 Forest Road and 38 Whitesmith Road. It would therefore not be a high quality development which, for this reason, would fail to accord with CS Policy DM2.

Parking provision

9. The appeal site lies within Zone 2 which, as detailed within the Council's Guidelines for parking provision as part of new developments Supplementary Planning Document² (SPD), applies to proposals outside of identified town centre boundaries. In accordance with the SPD, two car parking spaces and two cycle spaces should be provided as part of the proposed scheme.
10. It is unclear whether the proposal would include the provision of cycle storage facilities. However, there would be a shortfall of one car parking space as part of the development. In such circumstances, the SPD requires the submission of evidence in the form of a Parking Provision Assessment, to justify the level proposed. No such assessment is before me to demonstrate that there would be sufficient on-road capacity within proximity to the appeal site, to accommodate the shortfall resulting from the development.
11. As part of my site visit, I noted that there are parking restrictions in place in the area, notably along Albany Road and Whitesmith Road, and few spaces were available within the vicinity of the appeal site. Whilst my observations can only represent a snapshot of normal highway conditions, it would be reasonable to expect that, by the evening, when residents return home from work, there would be an increase in on-street parking over and above what I saw at the time of my site visit. In the absence of substantive evidence to the

¹ March 2012.

² January 2017.

contrary, I am unable to conclude that there is adequate capacity, within proximity to the appeal site, to accommodate the potential parking shortfall which could arise as a result of the proposal.

12. Whilst the appellant is satisfied that this reason for refusal could be overcome by providing an additional parking space, I am mindful that the appeal process should not be used as a means to progress alternatives to a scheme that has been refused. Furthermore, I have been presented with little evidence to demonstrate that an additional parking space could be accommodated, and that it would not in turn cause other issues, notably in respect of the level of outdoor amenity space provided for future occupiers, particularly given the constrained size of the plot. I therefore afford limited weight to this consideration.
13. The shortfall associated with the development would be likely to increase the demand for parking within the locality, thus placing greater pressure on the local network and increasing illegal, inconsiderate or obstructive parking. As a consequence, this could have a detrimental effect on the free flow of traffic and compromise highway safety for all road users. For these reasons, the proposal would not accord with CS Policies DM2, DM17 and SP7, which notably require new developments to provide a safe built environment and comply with the Council's parking guidance.

Other Matters

14. The appeal site lies within proximity to the Solent Special Protection Areas (SPAs), which are recognised under the Conservation of Habitats and Species Regulations 2017 as being of international importance for supporting significant numbers of overwintering bird species. The Council is concerned that the proposal would have a likely significant effect on the integrity of these sensitive areas (either individually or in combination with other plans or projects) notably by reason of additional recreational pressures, unless suitable mitigation is provided.
15. In accordance with the Solent Recreation Mitigation Strategy (SRMS) residential development proposals located within 5.6km to the Solent SPAs are therefore required to make a financial contribution towards mitigation measures, which are normally secured through the completion of a planning obligation. As the appeal is being dismissed on other substantive grounds, this is however not a matter which needs to be considered further here.

Conclusion

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

S Edwards

INSPECTOR