



Appeal Decision

Site visit made on 25 April 2023

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2023

Appeal Ref: APP/P2114/W/22/3299019

OS Parcels 1973 and 2363, Redhill Lane, Wroxall, Isle of Wight

- 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 Clive Richardson against the decision of Isle of Wight Council.
 - The application Ref 22/00252/FUL, dated 8 February 2022, was refused by notice dated 31 March 2022.
 - The development proposed is change of use from agricultural to equine use, new access and stables, demolition of two structures.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner heading above, I have used the site address from the Council's decision notice, as it more clearly identifies the site. The application form gave the address as Land opposite Valley Cottage. Based on the application drawings, there is no ambiguity as to the location or extent of the appeal site.
3. Amended drawings numbered 478/VW/21/1 Rev F and 478/VW/21/2 Rev F were provided with the appeal. They propose an alternative layout for parking and turning of vehicles within the site and an increased area of hardstanding.
4. Although I have been provided with the Council's comments on the amended drawings, including updated advice from the Highways Authority¹, the amended layout has not otherwise been subject to consultation with interested parties. There is also evidence that the proposed parking and turning arrangements were a specific matter of concern for some of those submitting representations. Therefore, there is a demonstrable risk of prejudice to the interests of those parties if the amended plans are accepted for consideration at this stage, without their having had an adequate opportunity to comment. I have therefore considered the appeal on the basis of drawings numbered 478/VW/21/1 Rev E and 478/VW/21/2 Rev C, which are the plans upon which the Council made its decision.
5. During my site visit I noted that two timber equestrian buildings were present on the site, in approximately the position of the proposed stables. I have not been provided with any evidence as to their planning history and I have considered the appeal based on the details shown on the proposed plans.

¹ Island Roads consultation response dated 17 August 2022

6. The parties have had the opportunity to comment on the outcome of appeal reference APP/P2114/W/21/3289410, which was determined on 27 September 2022 while this appeal was under consideration and related to an alternative proposed equestrian development on the site.

Main Issues

7. The main issues are:

- the effect of the proposed development on highway safety, with particular regard to the proposed arrangements for parking and turning of vehicles within the site, and
- its effect on the character and appearance of the area.

Reasons

Highway Safety

8. The appeal site comprises two field parcels at the corner of Redhill Lane and Shanklin Road (A3020). A new access is proposed from Redhill Lane and an existing field access from Shanklin Road would be stopped up.
9. Redhill Lane is a narrow, enclosed single track road, with very little opportunity for two vehicles to pass. Forward visibility is limited by extensive roadside vegetation and embankments and there are no footways. Although traffic speeds are likely to be moderated by the road conditions, the lane has a de-restricted speed limit, with associated risk of vehicles travelling at inappropriate speed.
10. In their response to the application², the Highways Authority indicated that acceptable visibility would be provided at the proposed access. Based on the evidence before me, I have no reason to reach a different conclusion. However, the proposed parking and turning arrangements would not allow for adequate parking and turning of two vehicles, so that both can enter and exit the site in forward gear. There would also be inadequate provision within the site to manoeuvre a vehicle with a trailer, such as a horse box.
11. There is sufficient land available to rectify the above issues, and the applicant has furthermore demonstrated willingness to do so. However, for the reasons explained above I am unable to consider any revised parking and turning layout as part of this appeal. Nor could a revised layout reasonably be secured using conditions, given the extent of required amendments.
12. Based on the drawings upon which the Council reached their decision, the proposal would result in increased reversing movements onto or off Redhill Lane. This would further prejudice the safety of highway users, at a location where there are existing risks due to the narrow width, limited forward visibility, lack of footways and potentially inappropriate traffic speeds.
13. The existing access off Shanklin Road also suffers from poor visibility, exacerbated by its proximity to the bus stop, with additional risks associated with the proximity to nearby junctions and the higher level of traffic on this classified road. However, in the absence of any existing stable provision or parking areas within the site, the existing use of that access is likely to be

² Island Roads consultation response dated 18 February 2022

relatively limited. This section of Shanklin Road also has a 40mph speed limit, unlike Redhill Lane.

14. Given the above, while there would be some benefit arising from closure of the existing access, it would not outweigh the harm to highway safety associated with the new access. Neither would the benefit of a de facto passing place outweigh the harm to highway safety arising from increased reversing movements within that section of the lane.
15. For the above reasons, I conclude that the proposal would have an adverse effect on highway safety, with particular regard to the proposed arrangements for parking and turning of vehicles within the site. As a result, it would conflict with relevant requirements of Policy DM2 of the Island Plan³ which requires, amongst other things, that development provides a functional, accessible and safe built environment.

Character and Appearance

16. The appeal site is located within a rural landscape of undulating fields, bounded by hedgerows and tree belts. The vegetation and raised embankments to either side of Redhill Lane give it a particularly enclosed, leafy character. The site currently provides parcels of grazing land, rising up gradually from a low point along Shanklin Road towards a more expansive area of higher land. There is a moderate amount of existing built development, strung out sporadically along the rural road network. This includes a group of detached houses on one side of Redhill Lane, opposite the appeal site.
17. There are a variety of land uses within the surrounding area, including other equestrian sites, agricultural buildings, several dwellings and visitor accommodation. As such, the area does not have an exclusively agricultural character and the use of the land for keeping horses (a typically rural pursuit) would not be out of keeping with the rural character of the area.
18. The proposed timber-clad single storey structure with low pitched roof would be typical of domestic stable facilities within rural surroundings. It would be cut into the slope, on a relatively low-lying part of the site, close to the main road and opposite the existing dwellings. The well-established pocket of woodland at the corner of Redhill Lane and Shanklin Road would provide screening, as would the hedgerow along Shanklin Road. In this position, the proposed stable would not be unduly prominent or intrusive within the landscape.
19. While the existing corrugated iron structure near the proposed stables is likewise not unduly intrusive, it is somewhat unsightly. Therefore, its removal would be a modest benefit of the proposal.
20. I note that the Inspector considering the earlier appeal referred to above did not find that there would be harm to the rural landscape as a result of the proposed equestrian land use or a stable building located further up the slope. However, he did find that the proposed access would have had a harmful visual impact, due to the loss of earth embankments and vegetation along Redhill Lane.

³ Isle of Wight Core Strategy (including Waste and Minerals) and Development Management Development Plan Document adopted March 2012

21. An alternative point of access is proposed in this case, opposite the driveway to one of the adjacent dwellings. At this point, the land within the appeal site is not significantly raised above the level of the lane. Therefore, there would be no significant erosion of the roadside embankments which provide a distinctive and enclosed character elsewhere along the lane.
22. The proposed access would be close to the existing domestic driveways and gardens, which include some extensive areas of hard landscaping and more formal garden planting. Although there would be some loss of existing roadside vegetation, this was somewhat sparse at the time of my site visit and lacked the maturity or density of hedgerows elsewhere along the lane. Neither the parcel of woodland to the north nor the more well-established hedgerows further south would be undermined. Therefore, the affected section of the lane would be relatively localised.
23. For the above reasons, I conclude that the proposed development would not be harmful to the character and appearance of the area. It would not conflict with relevant requirements in policies SP5, DM2 or DM12 of the Island Plan. These policies, amongst other things, support proposed development that conserves the landscape, having regard to existing features including hedges which significantly contribute to the character of the area.

Other Matters

24. While I note that land on the opposite side of Redhill Lane is within the AONB, the Council has not alleged any harm to the setting of this designated landscape. Given the screening provided by the intervening woodland, varied land levels and the proposal's relationship with existing built development, I likewise find that the setting of the AONB would be conserved. Any effect on living conditions for the occupiers of dwellings within the AONB is a separate consideration which it is not necessary for me to address in detail, since I have dismissed the appeal for other reasons.
25. I acknowledge that the proposal would support the care of horses close to the appellant's home, which would be beneficial to animal welfare and more convenient for the appellant. However, since this benefit could equally be secured through an alternative layout, without prejudicing highway safety, I have given it limited weight.

Conclusion

26. While I have found that no harm would arise to the character and appearance of the area, the harm to highway safety brings the proposal into conflict with the development plan read as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Jane Smith

INSPECTOR