



Appeal Decision

Site visit made on 6 September 2023

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 September 2023

Appeal Ref: APP/P2114/W/22/3305922

Cressida, Red Road, Wootton Bridge, Ryde PO33 4PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Peter Dale (P & P Dale Ltd) against Isle of Wight Council.
 - The application Ref 22/01088/FUL, is dated 16 June 2022.
 - The development proposed is described on the application form as, "Extensions and conversion to provide 2 dwellings".
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Decision

1. The appeal is dismissed and planning permission for proposed alterations and extensions to existing dwelling to form a pair of semi-detached dwellings is refused.

Preliminary Matters

2. Differing to the description of development in the banner header above, the application was validated by the Council as, "Proposed alterations and extensions to existing dwelling to form a pair of semi-detached dwellings". I have used this description in my consideration of the appeal since it best describes the proposed development in precise and concise terms.
3. The appellant has made reference to altering part of the proposal. However, no amended plans have been received in this respect. Therefore, I have considered the same plans that the Council determined the planning application on. To do otherwise would deprive those who should have been consulted on any changes, the opportunity of such consultation.
4. Since the appeal responds to the Council not having determined the application, there is no decision notice. Nonetheless, they have stated it would have been refused. The reasons for which have informed the main issues of the appeal.

Main Issues

5. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of the dwelling known as Sighisoara, with particular regard to outlook.

Reasons

Character and appearance

6. The appeal site comprises the dwelling known as Cressida, a detached bungalow situated on Red Road in a predominantly residential area. Nearby properties along Red Road are generally modest in scale, often with unobtrusive pitched roofs. Cressida occupies a large plot relative to others in the vicinity. The site is situated between a number of 2-storey properties (to the south of the site) and a number of bungalows (to the north of the site), some of which have accommodation in their roof space.
7. I have taken account of the dimensions provided by the appellant. The proposal would remove the single-storey garage which extends past the frontage of Cressida, and would extend Cressida to the side by some margin. The side extension would also protrude beyond the nearest dwelling to the north (Sighisoara) and would incorporate a conspicuous front gable. The proposed mansard roof would noticeably increase the bulk of the extended building, and the proposed dormer windows to the front of the building would draw attention to the increased bulk of the building.
8. In combination, these factors would mean that the proposed pair of semi-detached dwellings would not successfully integrate into the street scene. Rather, because of its markedly increased scale and massing, the building as a whole would appear overly-dominant in its context, particularly when viewed in conjunction with the modestly-sized bungalows to the north, which Cressida shares its primary visual relationship with. The style of the roof would also appear anomalous in its context, given the preponderance of pitched roofs present on nearby properties.
9. The proposal would result in fairly narrow walkways to either side of the building, but this is not uncommon for properties along Red Road. This consideration, and the use of appropriate materials, would not alter the harm that the proposal would cause to the character and appearance of the area, identified above.
10. I therefore find that the proposed development would have an unacceptable and harmful effect on the character and appearance of the area. The proposal would conflict with Policy DM2 of the Core Strategy¹ which provides that, amongst other things, development proposals will be expected to complement the character of the surrounding area.
11. The proposal would also conflict with paragraph 130 c) of the National Planning Policy Framework (the Framework) which provides that, amongst other things, planning decisions should ensure that developments are sympathetic to local character.

Living conditions

12. As mentioned on the first main issue, above, the proposed extension would extend Cressida to the side by some margin. The side extension would also protrude slightly beyond the central part of the building. Taking account of the height of the proposed roof, the proposal would result in a tall mass of built

¹ Island Plan: Isle of Wight Core Strategy (including Waste and Minerals) and Development Management Development Plan Document (adopted 2012)

form in close proximity to the side windows and main entrance of the dwelling known as Sighisoara.

13. As such, the proposed side extension would likely appear as an imposing and dominant structure in views from the side windows at Sighisoara. As the outlook from those windows would be unduly restricted, the rooms that those windows serve would be much less pleasant to use as a result.
14. I therefore find that the proposed development would have an unacceptable and harmful effect on the living conditions of the occupiers of the dwelling known as Sighisoara, with particular regard to outlook. The proposal would conflict with Policy DM2 of the Core Strategy which provides that, amongst other things, development proposals will be expected to optimise the potential of the site but have regard to existing constraints such as adjacent buildings.
15. The proposal would also conflict with paragraph 130 f) of the Framework which provides that, amongst other things, planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

Other Matters and Planning Balance

16. The conduct of the Council during the processing of the planning application is not a matter that I can assess in the context of a planning appeal.
17. The site benefits from a Lawful Development Certificate² (LDC), for a proposed single-storey extension. I have no reason to doubt that there is a real prospect that this development could be implemented, should this appeal be dismissed. Nevertheless, the LDC development relates to a proposal of a far lesser scale than the appeal proposal. As it would be less harmful in planning terms than the appeal proposal, it provides minimal support for it. For these reasons, as a potential fall-back position the LDC development has been given very limited weight in favour of the appeal proposal.
18. The proposal would provide one new unit of residential accommodation, which would be located in an accessible location. This would contribute to the Government's objective of significantly boosting the supply of homes, and local housing supply, in the context of the Council's lack of a 5-year supply of deliverable housing sites.
19. A unilateral undertaking has been provided, relating to habitat mitigation contributions under the Solent Recreation Mitigation Strategy and affordable housing contributions. It is common ground between the main parties that these contributions are required and I have no substantive evidence to indicate otherwise. I therefore consider that these measures in the unilateral undertaking are necessary, directly related to the development, and fairly and reasonably related in scale and kind to the development and that they would comply with the provisions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), so far as is relevant to this unilateral undertaking, and the tests for planning obligations set out in the Framework. I have taken account of these measures in the overall planning balance, which is undertaken below.

² 22/00091/CLPUD

20. The proposal incorporates solar panels, and in this regard Policy DM2 of the Core Strategy supports proposals which minimise the consumption of natural resources.
21. As the proposal would involve the creation of only one new unit of accommodation, the benefits of the proposal in economic, social, and environmental terms would ultimately be limited. Thus, whilst local and national policy supports the proposal with respect to the various factors identified above, the combined benefits of the proposal would amount to no more than moderate weight in favour of it.
22. As explained on the main issues above, the proposal would result in adverse impacts in relation to both its harmful effect on the character and appearance of the area and on the living conditions of the occupiers of Sighisoara. Given that these matters relate to planning and development fundamentals, I give significant weight to these adverse impacts.
23. Balancing the significant weight of these adverse impacts against the moderate weight I have given to the collective benefits of the proposal, I find that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Hence, the proposal would not benefit from the presumption in favour of sustainable development, found at paragraph 11 of the Framework.
24. Therefore, I find that none of the other considerations, which include the Framework, indicate that this appeal decision should be taken otherwise than in accordance with the development plan.

Conclusion

25. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alexander O'Doherty

INSPECTOR