



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: 13 September 2023

Appeal Ref: APP/P2114/W/22/3300032

Land at the rear of 83 Carisbrooke High Street, Carisbrooke, Isle of Wight PO30 1NT

- 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 Liam Verstraeten against the decision of Isle of Wight Council.
 - The application Ref 21/02022/FUL, dated 4 October 2021, was refused by notice dated 17 December 2021.
 - The development proposed is described on the application form as, "The proposal is for a two story, two bed detached dwelling with a balcony and bicycle storage and patio area at land to the rear of 83 Carisbrooke High Street".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst the application form refers to "Carisbrooke Road", I have used "Carisbrooke High Street" in the banner header above, as this is the correct address.
3. Differing to the description of development in the banner header above, the Council's decision notice accurately describes the development as shown on the supporting plans as, "Proposed detached dwelling (revised scheme)". I have used this description in my consideration of the appeal since it best describes the proposed development in precise and concise terms.

Main Issues

4. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the Carisbrooke Conservation Area;
 - the effect of the proposed development on the setting and significance of the Grade II listed building, known as 83 and 85 High Street; and
 - the effect of the proposed development on highway safety.

Reasons

Conservation area

5. The appeal site comprises an irregular-shaped parcel of land associated with and to the rear of 83 Carisbrooke High Street (No 83). Carisbrooke High Street

is a busy road in a mixed residential and commercial area which contains a number of buildings near the site which are of historic interest.

6. The site is within the Carisbrooke Conservation Area (conservation area). The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) provides at s72(1) that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. The significance of the conservation area, as a whole, as a designated heritage asset is derived predominantly from its numerous historic buildings which commonly exhibit a high quality of architectural design, often with notable traditional features. The site contributes to the significance of the conservation area primarily by its function in providing an area of green space associated with No 83 and 85 Carisbrooke High Street, although at the time of my site visit some of this space was occupied by a container and an assortment of other smaller items.
8. I observed that the proposal for a detached dwelling would be visible from the footway near the existing accessway to the site, albeit that views would be somewhat restricted by the presence of No 83 which fronts Carisbrooke High Street. The proposed dwelling would also be visible in glimpsed views from the elevated path by St Mary's Church, which is located on the opposite side of Carisbrooke High Street.
9. In this sensitive location, near to fine examples of traditional architecture, whilst the proposed detached dwelling would occupy a characteristic gap between buildings which are common in the locality and its 2-storey form would not be incompatible in its context in principle, and an acceptable range of materials would be used, it would nevertheless appear noticeably out-of-place, due to its largely generic design which lacks many features of architectural interest. In particular, it would bear little resemblance in architectural terms with many of the traditionally-styled surrounding properties and would not consist of a distinctive design on its own terms. As such, it would undermine the high quality of architectural design experienced within the conservation area, referred to above.
10. Moreover, whilst the plot ratio figures are noted, the overall plot itself is narrow, and becomes narrower towards its rear. The dwelling would occupy a considerable proportion of this small plot, with minimal distances to both its side boundaries and the other properties near it. As such, it would appear cramped in its context. This effect would be exacerbated by the proposed hardstanding area to its front, much of which would likely be occasionally occupied by a vehicle.
11. As the harm to the character and appearance of the conservation area identified above would be localised, the proposal would cause less than substantial harm to the significance of the conservation area as a designated heritage asset, but nevertheless this harm is of considerable importance and weight. The National Planning Policy Framework (the Framework) advises that such harm should be weighed against the public benefits of the proposal.
12. In this regard, the proposal would provide one new dwelling in an accessible location, thereby contributing to both the Government's objective of significantly boosting the supply of homes and local housing supply in the

context of the Council's absence of a 5-year supply of deliverable housing sites. In doing so, the proposal would provide work for construction professionals, and the future occupiers of the proposed dwelling would likely contribute to the economic and community life of the area.

13. The Framework makes clear that great weight needs to be given to designated heritage assets' conservation. Given that the proposal relates to one dwelling only, the scale of the public benefits of the proposal would not be significant, resulting in no more than moderate weight in favour of it. Hence, I find that public benefits of the proposal do not outweigh the harm that would be caused to the significance of the conservation area.
14. I therefore find that the proposed development would not preserve or enhance the character or appearance of the conservation area. It would conflict with part 4 of 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, particularly in conservation areas, and part 3 of Policy DM11 of the Core Strategy which provides that, amongst other things, development proposals will be expected to relate to the conservation, enhancement and enjoyment of the Island's heritage assets and public realm.

Listed building

15. The site is situated to the rear of, and in close proximity to, the Grade II listed building, known as 83 and 85 High Street. The site is within the setting of this listed building. I observed that the significance of the listed building derives in part from its architectural and historic interest arising from its historic features, including its painted brick with a timber frame, partially old tiled roof, and its Victorian-era porch. The setting, including the appeal site, contributes to the significance of the listed building principally by providing a largely undeveloped and green space to the rear of the building which allows its historic features to be better appreciated in visual terms within its wider context.
16. The proposed new dwelling would be partially visible in the street scene and from the elevated path by St Mary's Church, and would be mainly viewed in conjunction with the northern and eastern elevations of the listed building which exhibit many of the notable features of the listed building referred to above.
17. Due to its largely generic design which lacks many features of architectural interest and as it would not consist of a distinctive design on its own merits, the proposed dwelling would serve to visually detract from the attractive architectural features of the listed building, referred to above. This effect would be compounded by the proposed dwelling appearing constrained within its plot, due to the narrowness of the plot and the limited space within the plot which would remain around the dwelling.
18. Due to the fact that the proposed dwelling would be set-back from Carisbrooke High Street and therefore would not be overly-prominent when seen from public vantage points, the harm to the setting of the listed building would be less than substantial. Nevertheless, this degree of harm is of considerable importance and weight. This harm must be weighed against the public benefits of the proposal.

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

19. In this regard, as mentioned on the first main issue above, the proposal would provide one new dwelling in an accessible location, would provide work for construction professionals, and the future occupiers of the proposed dwelling would likely contribute to the economic and community life of the area.
20. The Framework makes clear that great weight needs to be given to designated heritage assets' conservation. I give no more than moderate weight to the public benefits of the proposal and find that they do not outweigh the harm that would be caused to the significance of the listed building.
21. I therefore find that the proposed development would have an unacceptable and harmful effect on the setting and significance of the Grade II listed building, known as 83 and 85 High Street. The proposal would conflict with Policy DM2 of the Core Strategy which provides that, amongst other things, development proposals which preserve or enhance the setting of a heritage asset will be supported, and part 3 of Policy DM11 of the Core Strategy which provides that, amongst other things, development proposals will be expected to relate to the conservation, enhancement and enjoyment of the Island's heritage assets and public realm.

Highway safety

22. The proposal incorporates a parking space, to be located in front of the proposed new dwelling. The proposal would utilise the existing access, which joins Carisbrooke High Street, thereby likely resulting in a modest increase in vehicular movements along that accessway.
23. This narrow access point has restricted visibility towards the left when exiting onto Carisbrooke High Street, due to the presence of No 83 which fronts a fairly short area of footway. The Council have stated that the visibility splay from this accessway does not meet the required standard, and this has not been disputed by the appellant.
24. Moreover, the accessway would not serve the proposed new dwelling alone, and in this respect there is a potential for standing vehicles to result on Carisbrooke High Street, due to the fact that 2 vehicles cannot pass at the gated point of the accessway and the fairly limited visibility of Carisbrooke High Street available from that gated point. Furthermore, no plans have been provided demonstrating that a vehicle turning area can be achieved with respect to the proposed new dwelling in relation to the shared vehicular access.
25. Taking all of the above into account, the proposal does not convincingly demonstrate that the proposal would not result in an unacceptable impact on highway safety, which is the relevant requirement set out in paragraph 111 of the Framework.
26. I therefore find that it has not been demonstrated that the proposed development would have an acceptable effect on highway safety. The proposal would conflict with Policy DM2 of the Core Strategy which provides that, amongst other things, development proposals will be expected to provide a safe built environment.

Other Matters and Planning Balance

27. The key benefits of the proposal have been summarised above, within the first and second main issues, including in relation to its contribution to local housing

supply in the context of the Council's absence of a 5-year supply of deliverable housing sites.

28. Paragraph 189 of the Framework provides that, amongst other things, heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Considering all of the above, including the finding on the third main issue above with respect to highway safety, as a matter of planning judgement I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan identified. The proposal would conflict with the development plan when considered as a whole.
29. The Council lacks a 5-year supply of deliverable housing sites, which means that the policies which are most important for determining the appeal are deemed to be out-of-date in accordance with paragraph 11 d) of the Framework. However, as explained above, the benefits of the proposal are not sufficient to outweigh the harm identified to the relevant designated heritage assets. Taking account of the requirements of paragraph 11 d) i. of the Framework (including footnote 7 of the Framework), the application of policies in the Framework that concern designated heritage assets provides a clear reason for refusing the proposed development. The proposal would not benefit from the presumption in favour of sustainable development.
30. Consequently, 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.
31. As mentioned in the third and fourth reasons for refusal given in the Council's decision notice, the Council considers that the proposal has the potential to have adverse effects on designated conservation sites, and has referred to contributions towards affordable housing provision. However, as I am dismissing the appeal for other reasons, there is no need to consider the potential implications of the proposal in these respects. I therefore make no further comments on these matters.

Conclusion

32. 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