
Appeal Decision

Site visit made on 23 April 2024

by S Harley BSc(Hons) M.Phil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 31st May 2024

Appeal Ref: APP/P2114/W/23/3328212

Little Gatcombe Farm, Newbarn Lane, Gatcombe, Isle Of Wight, PO30 3EQ

- 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 A Fitzgerald against the decision of the Isle of Wight Council.
 - The application Ref is 23/00775/FUL.
 - The development proposed is change of use and conversion of an existing barn into a 3 bedroom residential home.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An updated version of the National Planning Policy Framework was published in December 2023. I have taken into account comments received.
3. In November 2023, the National Landscapes Association reported that all designated Areas of Outstanding Natural Beauty (AONBs) had become National Landscapes but the Framework continues to refer to them as AONBs. In this Decision I have used the term AONB, consistent with the evidence and the Framework. The legal designation and policy status of such areas is unaffected, whichever term is used.
4. Of the four reasons for refusal two related to the lack of financial contributions towards affordable housing and the Solent Recreation Mitigation Strategy 2017 (the Mitigation Strategy). The appellant has entered into two Unilateral Undertakings, dated 15 August 2023 and 3 May 2024, to provide these financial contributions. On this basis the Council has withdrawn refusal reasons 3 and 4. These matters are considered further below.
5. The Framework seeks sustainable development which is described as having economic, social and environmental objectives. The Framework is clear that these objectives should be delivered through the preparation and implementation of the policies in the Framework: they are not criteria against which every decision can or should be judged.

Main Issues

6. The main issues are whether the site is a suitable location for a dwelling in terms of local and national spatial planning policies taking particular account of accessibility to goods and services; and the effect of the proposal on the character and appearance of the local area and the Isle of Wight AONB.

Reasons

Spatial policy and accessibility

7. Policy SP1 of the Isle of Wight Core Strategy and Development Management Development Plan Document 2012 (the CS) establishes the spatial policy for the Island. It directs development to the identified Regeneration Areas and Rural Service Centres in accordance with a sustainability matrix. Development is not normally supported by Policy SP1 outside of, or not immediately adjacent to, these settlements. Despite the age of the CS this broadly accords with the approach that Section 5 of the Framework takes to the location of housing. Therefore, notwithstanding the lack of a five year housing land supply, I consider moderate weight can still be given to this policy.
8. The proposed dwelling would not be physically isolated given the other nearby dwellings. Even so, the appeal site is neither within, nor adjacent to, any of the settlements defined within Policy SP1 and for planning policy purposes is in the "wider rural area".
9. The Council indicates it can only demonstrate a four year supply of deliverable housing land¹ and housing delivery remains well below target. The appellant contends that the Council's calculations overestimate the delivery of houses particularly in rural areas so the actual supply may be lower. The appellant's figures have not been disputed by the Council. There is clearly a pressing need for housing in rural areas and across the Island including for three bedroom houses. However, there is no evidence before me to suggest that the appeal scheme is meeting a specifically identified local need for housing although future occupiers would help enhance or maintain the vitality of the local community in accordance with Paragraph 83 of the Framework.
10. Policies SP7 and DM17 of the CS support proposals that increase travel choice and provide alternative means of travel to the car although, unlike for proposed community and retail purposes, this is not a stated criteria for residential development. The Policies are broadly in conformity with the Framework's objective of promoting sustainable transport and focusing development in locations which are or can be made sustainable through limiting the need for travel and offering genuine choice of transport modes. However, Paragraph 109 of the Framework recognises that maximising transport solutions will vary between urban and rural areas.
11. The appeal site is within the small rural hamlet of Gatcombe. Gatcombe Road is an unclassified public highway subject to the national speed limit but, because of the geometry of the carriageway, Island Roads have estimated speeds in the vicinity of the appeal site would be much lower. The appeal site is near the junction of Gatcombe Road with Snowdrop Lane and New Barn Lane. All are narrow, single-track roads with bends and no pavements. There is a 13th century church at Gatcombe and a few more facilities at Chillerton, Rookley and Carisbrook. At Newport, one of the main urban areas on the Island, there is a range of services and facilities some 2.3 to 3.7 miles away.
12. The nearest bus stop I saw is at the opposite end of Gatcombe Road, a walk of some 15 minutes. It is unlikely that travelling by bus would be a particularly attractive choice for most day to day trips for goods and services especially in

¹ Isle of Wight Council Five Year Land Supply Annual Position Statement 1st April 2021

inclement weather. This is because of the relatively limited bus frequency and as Gatcombe Road is relatively narrow and has no pavements or streetlights. Cycling, even using an electric bike and utilising cycleways and quiet roads, is also unlikely to be an attractive option for many on a day to day basis, especially in inclement weather, because of the distance involved. Nor would the use of taxis reduce travel by car and I have seen no evidence of car sharing clubs. The potential of solar arrays to charge electric vehicles is to be welcomed but would not in itself minimise travel.

13. I conclude that the site is not a suitable location for a dwelling in terms of the spatial strategy and accessibility to goods and services. There would therefore be conflict with Policy SP1 of the CS and Policy P39 of the AONB Management Plan 2019 – 2024 (the Management Plan) and those principles of the Framework that seek to direct development to the most accessible locations and to limit the need to travel. However, given the availability of cycle routes, quiet roads, footpaths and a modicum of public transport, and as only one dwelling is proposed, I consider the harm arising from the conflict with the spatial strategy would be relatively small in this case.

Character and appearance

14. The appeal site and surroundings are in the Isle of Wight AONB which has the highest level of protection of landscape and scenic beauty. The extensive AONB has a complex and diverse landscape. The geology; habitats; historic and current land use and settlement pattern; boundary features; peace, tranquillity and 'dark skies'; traditions, customs and cultures; all add to its special qualities and 'sense of place'. Development within it needs to take account of the high degree of sensitivity of the landscape and to reflect the appropriate vernacular style and materials to ensure the conservation and enhancement of the landscape's unique sense of place.
15. Gatcombe comprises a sprinkling of dwellings and other buildings along Gatcombe Road and other rural lanes surrounded and interspersed with fields, trees, hedges and copses. Most of the buildings in the immediate locality are of traditional design and appearance giving a picturesque character of a quiet rural hamlet in a traditional agricultural area.
16. The appeal site is part of the property known as Little Gatcombe Farm which includes a dwelling, garage/home office, stables and an equine sand school. These are the only group of buildings which lie to the south of Gatcombe Road at this end of Gatcombe with most residential properties on the north side of Gatcombe Road.
17. The appeal building is close to the road frontage and has a separate access from the other parts of the property. It is a large, modern, pitched roof agricultural building constructed of exposed blockwork and aluminium profiled steel cladding. The north gable faces Gatcombe Road; all elevations except the south are prominent in public views. Its form and materials are those of an industrial style agricultural building and it has been part of the local landscape for many years. However, it has no particular historic or architectural value and is not a particularly attractive feature in the local area or the AONB.
18. The proposal would retain the form and predominantly the materials of the existing building although render is proposed over the exposed blockwork. Whilst there are many large dwellings in Gatcombe I saw none of similar

proportions, shape and materials. Accordingly the appearance of the converted building would be out of character with the more traditional appearance and design of existing properties even though no one particular style predominates.

19. There would be a number of new aluminium framed windows and a wider, glazed door. The windows in the east and south elevations, whilst of domestic style, would be of different sizes and shapes with an unfortunate rhythm discordant with the industrial style, scale and form of the existing building. The first floor windows in the east gable would be disproportionately close to the roofline and would draw attention to the uncharacteristic shallow pitch of the roof. The number, shape, sizes and disposition of the windows in the west and south elevations would not have the character, rhythm or style that would be expected in a dwelling.
20. The building if altered as proposed would tend to fall between two stools being neither an industrial style agricultural building nor a domestic style dwelling. The resultant building would not integrate effectively with its surroundings in terms of form and function, would not reinforce local distinctiveness, or conserve or enhance the local area. It would not amount to the good and beautiful design seen as a key aspect of sustainable development in Paragraph 131 of the Framework.
21. There would be a cycle store added to the south elevation. This is not shown on the proposed elevations but taking account of the footprint shown on the plans this would be small and unobtrusive.
22. Parking would be in the existing concrete yard and the plans do not show much by way of reduction of the concrete area. The building has previously been used in association with agriculture or equine uses and is currently vacant. Some 18 acres of land is associated with the proposal – described in the Revised Design and Access Statement as sufficient for a small holding business. It seems highly probable that there would be pressure for additional buildings/yard to support use of the associated land should the appeal building and yard be unavailable. This would have the potential for further harm to the character and appearance of the local area and the AONB.
23. The former sand school to the east of the yard, is on higher land enclosed by a fence behind a hedge on top of a roadside bank. This would become a garden with the associated domestic paraphernalia. Dwellings and associated activities are part of the character of rural areas and the AONB. However, given the land that would be available for a small holding in this case it seems likely that this domestic activity would be in addition to, rather than replacing, existing agricultural/equine activity.
24. Residential use would be likely to lead to more light in the hours of darkness and well above the height at which light would be emitted from the existing building. A condition controlling light spill might be sufficient to minimise harm from the windows but it is not clear whether or not light would spill out from the light tunnels after dark and whether this would be controllable.
25. Taking the above altogether I conclude the proposed development would not amount to a good and beautiful design. It would not be an aesthetic improvement or enhance the local area and would therefore be harmful to its character and appearance. It would not conserve or enhance the landscape and scenic beauty of the AONB. Accordingly there would be conflict with those parts

of Policies DM2 and DM12 of the CS, the AONB Management Plan, and those principles of the Framework, including Paragraph 182, that seek to protect the character and appearance of areas, the landscape and scenic beauty of the AONB, and to achieve good design and beautiful places.

Other Matters

Affordable housing

26. Policy DM4 of the CS seeks to deliver affordable homes to meet an identified housing need on the Island. The Affordable Housing Contributions Supplementary Planning Document 2017 (the SPD) sets out how affordable housing will be provided. It establishes that Policy DM4 applies to development that would result in a net gain of one or more dwellings. A signed Undertaking is in place that would secure an affordable housing contribution on the basis of the approach set out in the SPD and the Council have confirmed that it meets the requirements of Policy DM4.
27. Given the policy requirement and identified shortage, I am satisfied that an affordable housing contribution is necessary, is directly related to, and is fairly and reasonably related in scale and kind to the development. The Undertaking satisfies these tests in Regulation 122(2) of the CIL Regulations 2010 and Paragraph 57 of the Framework.

Protected Habitat Sites

28. The appeal site is within the buffer zone of influence for the Solent and Southampton Waters Special Protection Area (SPA). The proposal would result in a net gain of residents and, in the absence of mitigation, together with other plans and projects, would be likely to increase visitor pressure on the SPA and lead to further disturbance to its habitats and the birds it supports. Signed Undertakings under s106 of the Town and Country Planning Act 1990 (as amended) together make provision for the contributions as required by the Mitigation Strategy.
29. Natural England have advised that the SPA is currently in an unfavourable condition as a result of excessive levels of nitrogen and phosphate, which has led to a detrimental impact on the habitats and species of birds to which the designation relates. It is therefore necessary to ensure that developments will not add to the current unfavourable state of the SPA. The Nitrogen Neutral Housing Development Position Statement 2024 sets out the approach that the Council takes to proposed developments. In line with this the appellant proposes a cesspit and would accept a condition requiring waste from a sealed cesspit to be taken to Sandown Waste-Water Treatment Works. The Council considers this would be acceptable.
30. However, in view of my conclusions on the main issues it is not necessary for me to carry out an Appropriate Assessment or to consider these matters further.

Other considerations

31. The appellant has cited a number of other sites where permission has been granted. The Dodnor Mews example pre-dates the CS but appears to be in the context of other significant development and may not be in the AONB. From what I have seen the examples of residential permissions in the rural area

around Gatcombe cited by the appellant relate to buildings of more traditional design and/or involve the removal of unattractive structures. The Branstone Farm Studies Centre appears not to be in the AONB. None of the examples seem sufficiently comparable to lead me to a different conclusion in respect of the appeal before me. Accordingly I find no inconsistency with the other decisions cited².

32. Whether or not planning breaches have occurred elsewhere is a matter for the Council and not for this appeal. Permitted development rights allow for barn conversions in certain circumstances but not in AONBs so potential permitted development rights carry no weight as a “fallback” position in this case.

Planning Balance and Conclusion

33. In the absence of a five year supply of deliverable housing land, Paragraph 11d) of the Framework indicates that permission should be granted unless i) the application of policies in the Framework that protect areas or assets of importance provides a clear reason for refusing the development proposed or ii) the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
34. Footnote 7 of the Framework identifies AONBs as one of the areas that paragraph 11d i) relates to. Therefore the policies in the Framework that protect areas of particular importance provide clear reasons for refusing the development proposed and so the presumption in favour of development does not apply.
35. The proposal would make a small contribution to housing supply and towards the provision of affordable housing on the island. Additional residents would help support the vitality of a rural community. There would also be benefits to the local economy through the construction of the dwelling and the spend of future occupiers, although the scale of the development means these would be limited in size. Nonetheless, these are all benefits of the scheme.
36. Use would be made of an existing building whether or not it amounts to previously developed land in planning policy terms. However, this would be at the expense of good design so I give this matter relatively little weight as a benefit in this case.
37. The intention is to provide good insulation, utilise renewable energy and to harvest rainwater. This would be good practice but is to be expected of all developments and therefore does not add much weight as a benefit in the context of this appeal.
38. In line with the Framework I give great weight to the harm I have identified the proposal would cause to the AONB. Moreover Government policy strongly supports good and beautiful design and I have found this would not be a feature of the scheme before me. I have also found that the appeal site would not be a suitable site for the proposed development having regard to accessibility to goods and services by means other than the private car, albeit the harm in this respect would be relatively small.

² Baroness Cumberlege v Secretary of State for Communities & Local Government [2017] EWHC 2057; DLA Delivery v Baroness Cumberlege [2018] EWCA Civ 1305

39. The benefits of the proposal as set out above would not outweigh the harms taken together. In failing to comply with the Policies SP1, SP7, DM2, DM12 and DM17 of the CS the proposal cannot be said to comply with the development plan taken as a whole. I have found insufficient material considerations to outweigh this conflict.

40. The appeal should be dismissed.

S Harley

INSPECTOR