

Appeal Decision

Site visit made on 7 August 2024

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 September 2024

Appeal Ref: APP/P2114/W/23/3334009

9 The Strand, Ryde, Isle of Wight PO33 1JD

- 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 Steven Young against the decision of the Isle of Wight Council.
 - The application Ref is 23/01211/HOU.
 - The development proposed is described as the removal of pier on the front boundary of the property to enable vehicle access to additional parking and better visibility when leaving the property.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have simplified the description of development to remove information relating to the reasoning for the proposal.
3. The plans do not specify which of the piers would be removed. However, the submission is supported with photos which clearly identify the pier as that which separates the vehicle and pedestrian access onto The Strand.

Background and Main Issues

4. It is noted that an appeal against the refusal of listed building consent was dismissed (appeal reference APP/P2114/Y/3329751). Although this is a material consideration I have dealt with the case before me on its own merits.
5. The main issues are whether the proposal would preserve a Grade II listed building known as "9 and 10, The Strand" (reference 1238598) (the LB), and any of the features of special architectural or historic interest that it possesses; the effect of the proposal on the setting of nearby listed buildings; and the extent to which it would preserve or enhance the character and appearance of the Ryde Conservation Area (the CA).

Reasons

6. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

7. The LB comprises a large 3 storey building that is unevenly separated into a semi-detached pair of residential dwellings, and the appeal property forms the smaller part. It is a substantial mid-18th century property with ornate detailing and dominates its position between The Strand, The Esplanade and Ashley Gardens, a small urban garden. Thus, its significance relates to its age, architectural styling, and relationship with its surroundings. Although it is noted that externally at least, the appeal property does require some repair.
8. However, The Strand and The Esplanade are separated by a series of similarly grand Regency villas, many of which are also listed. The group value of these properties, notably 1 – 7 and 9 – 20 The Strand¹, instructs the character and appearance of this part of the CA, known as Character Area 3: Regency and Victorian Housing.
9. It is understood the frontage of the LB is towards The Strand although due to the highly visible nature of The Esplanade facing elevation, it, along with the surrounding properties have the impression of being double fronted. Nevertheless, it is clear that traditional access into the properties was from The Strand. From the evidence before me, along with my observations on site, it would appear to have originally had an individual pedestrian and vehicular accesses defined by capped piers within a rendered wall and this format would have been replicated for most properties along the road. This would have created a pleasing uniformity to The Strand and the interrelationship between the buildings and the public realm.
10. The proposal would remove the central pier from the original access layout to the appeal property and so would represent a loss of historic fabric and therefore constitute less than substantial harm to the LB.
11. The appellant's assertion that a series of alterations to 10 The Strand has changed the aspect of the LB to such an extent that they can no longer be considered jointly is noted. As is their consideration that the proposal would balance the parking area provided to the front of No 10. However, this does not overcome the fact the proposal would require the removal of historic fabric.
12. It is acknowledged that over time, and as shown by the examples submitted by the appellant, many of the original access piers to the properties on The Strand have been altered or removed entirely to provide off road parking for larger modern vehicles and in some cases garages. However, all this serves to prove is that surviving examples are all the more important in understanding the legibility of the originally intended relationship between public and private realm along The Strand. Accordingly, the loss of this original feature would also harm the setting of the surrounding listed buildings and the character and appearance of the CA.
13. This would also be considered less than substantial harm, and in combination with the less than substantial harm to the LB, this must attract considerable

¹ Grade II listed buildings: Hotel Ryde Castle (reference 1238543); 2 and 3, The Strand (reference 1238577); Richmond House Sandford House (reference 1238591); 6, The Strand (reference 1238595); Dover House (reference 1238608); Sorrento (reference 1238599); Claverton Private Hotel (reference 1274098); Frontage wall of No 12 (reference 1238650); 13, The Strand (reference 1274099); Front wall of No 13 (reference 1238652); Helena Private Hotel (reference 1274100); 15 and 16, The Strand (reference 1238674); Front walls of Nos 15 and 16 (reference 1238675); and Esplanade House Terrace (reference 1274071).

importance and weight because of the statutory requirement of section 66(1) of the Act. However, Paragraph 208 of the National Planning Policy Framework (the Framework) advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.

14. As the property has been successfully used as a dwelling since it was built, its optimal viable use has been achieved and this is not at risk if that proposed is not approved.
15. Nevertheless, it is acknowledged that parking can be at a premium in this part of Ryde and therefore the provision of off-road parking would provide some public benefit. However, this is only given limited weight due to the capability for off road parking to be provided for the appeal property from the existing access and dropped curb already in situ from The Esplanade.
16. The work the appellant has stated they are doing in terms of ongoing repair and maintenance would also have some public benefit as it would better reveal the quality of the appeal property as part of the LB. Nevertheless, it is evident by works already undertaken, that the repair and maintenance of the property does not require the removal of the pier to continue, so again only very limited weight can be attributed to this.
17. Accordingly, I do not find that the public benefits are sufficient to outweigh the harm that I have identified in this instance and the proposal would fail to preserve the significance of the LB, the setting of the surrounding listed buildings and the character and appearance of the CA. It would therefore fail to comply with Policies DM2 and DM11 of the Island Plan Core Strategy insofar as they seek development to positively conserve and enhance the Island's historic environment and complement the character of the surrounding area; and the Act and the Framework.

Other Matters

18. It is noted the proposal is not considered to harm highway function and safety and there is nothing for me to conclude otherwise. Nevertheless, a lack of harm is by definition incapable of weighing for or against the proposal.
19. The appellants comments in relation to their neighbour is acknowledged and in making this decision I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010.

Conclusion

20. For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, dismissed.

RJ Redford

INSPECTOR