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## Appeal Decision

Site visit made on 24 April 2025

by **Lynne Evans BA MA MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 29 May 2025

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**Appeal Ref: APP/P2114/D/24/3355713**

**Beechcliff, Maples Drive, Ventnor PO38 1NR**

- 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 Hendrik Sabert against the decision of Isle of Wight Council.
  - The application Ref is 24/01113/HOU.
  - The development proposed is alterations to fenestration; single storey extension at first floor level over existing garage; conservatory to south elevation; replacement and extension of existing balcony and external stairs; installation of solar panels on main roof; greenhouse.
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### Decision

1. The appeal is allowed and planning permission is granted for alterations to fenestration; single storey extension at first floor level over existing garage; conservatory to front elevation; replacement and extension of existing balcony and external stairs; installation of solar panels on main roof; greenhouse at Beechcliff, Maples Drive, Ventnor PO38 1NR in accordance with the terms of the application Ref: 24/01113/HOU subject to the conditions set out in the schedule at the end of this decision letter.

### Preliminary Matters

2. The Appellant set out a very detailed description of all the proposed works to be undertaken at the appeal property, not all of which would require planning permission. Whilst I have taken all the information provided into account in my decision, I have used the description of development as set out on the Council's decision notice in the header above. I have however excluded reference to the pool as that is already in existence, as seen at my site visit, and is not included in the description of development on the application forms.
3. The Council's decision notice refers to two particular elements of the proposed works, namely the first floor extension above the garage and the proposed solar panels. No concerns are raised with all other aspects of the scheme proposals and from the information before me and my site visit, I have no reason to take a different view. My consideration is therefore primarily directed towards the first floor extension above the garage and the proposed solar panels.

### Main Issue

4. The main issue in this appeal is the effect of the proposed development, and in particular the proposed first floor extension above the garage and the proposed solar panels. on the character and appearance of the local area, including on

existing high amenity trees, as well as on the setting of the adjoining Bonchurch Conservation Area.

## Reasons

5. The appeal property is a detached two storey residential dwelling, at the eastern end of a private spur road on Maples Drive, a non-through road leading off St Boniface Road, providing access to a number of detached dwellings. It has a detached garage to the side and gardens surrounding, with a rock outcrop along the northern boundary of the site. There are a number of attractive mature trees within its grounds, including a sycamore and turkey oak which are growing from the rock outcrop and a copper beech and sycamore to the east of the main house. These are all protected under a Tree Preservation Order Ref: 24/00028/TPO (TPO). The local area is characterised by a densely wooded appearance on steeply sloping contours leading down to the valley that runs through Bonchurch.
6. The proposal development would seek to remodel the existing house with new fenestration and build a first floor extension above the existing garage, together with a small conservatory extension and replacement balcony together with other works, including the installation of solar panels to the roof.
7. The proposed first floor extension above the garage would be served by the extended balcony. It would be modern in design with contrasting materials to the main house and with a flat roof. However, the roof would not extend above the eaves line of the main house, and in terms of its scale, height and proportions would be seen as a subordinate addition to the main house. The introduction of different materials to the main house would add visual interest and would be acceptable given its separation from the main dwelling and would re-enforce the subordinate form of the proposed extension.
8. Taking all the elements together, I consider that the proposed works including the addition above the garage would present a unified composition that would not detract from the scale and proportions of the existing dwelling. Given the siting of the dwelling at the eastern end of Maples Drive, providing access to the appeal property and to one other property, there would be very limited views of the proposal from outside of the site. I am satisfied that in such views there would be no harm arising from the scale and design of the proposals and that they would integrate with the varied character and appearance of the local area.
9. The protected trees are attractive mature specimens and also form part of the distinctive characteristic of the local area and contribute to the character and appearance of the adjoining Bonchurch Conservation Area. The steeply wooded sides to the valley contribute to the significance of the Conservation Area and its setting.
10. In respect of the trees, the application was accompanied by a tree survey and arboricultural implications assessment. There is no dispute between the Council and the Appellant that the proposed development could be accommodated without a material impact on the root systems. As a result of all the information before me and my site visit, I have no reason to take a different view, particularly given the siting of the main extension above the existing garage. I do not consider that there would be an issue related to shading and availability of light, given the siting of the proposed windows in relation to the trees.

11. The report advised that there would be a requirement to raise the crowns of the protected trees closest to the garage. I agree that this would be required but consider that the extent of such works, when consideration is given to the size and canopy spread of the trees in relation to the height of the proposed extension and works, would not be extensive and the detailed proposals could be addressed under a detailed arboricultural and construction method report.
12. I have taken into account the Council's concerns regarding branches overhanging the development, and the issues that this can lead to, but the existing house is already very close to several large and mature trees. Given the nature of the proposed extensions and works proposed, I do not consider that these concerns, in the particular circumstances of this case, would justify withholding planning permission.
13. In respect of the proposed solar panels, I am satisfied that there would not be an unacceptable conflict with the existing trees, taking into account the proposed orientation of the property and the panels and the proposed extent of their coverage. This matter can also be addressed further under the required arboricultural and construction method statement prior to works commencing on site.
14. Whilst recognising that some limited works would be required to raise the crowns of the protected trees and that a detailed arboricultural and construction method report would be required prior to works commencing, I do not consider that the proposed development would materially affect the amenity value of these protected trees.
15. I am therefore satisfied that the proposals in terms of their scale, design and materials as well as their relationship to the high amenity trees on site would respect the character and appearance of the existing building and of the local area, including the high amenity trees, as well as the setting of the adjoining Bonchurch Conservation Area. There would be no conflict with Policies SP5, DM2 and DM12 of the Island Plan Core Strategy and the National Planning Policy Framework and in particular Section 12, all of which seek a high quality of design which respects the local built and natural environments.

### **Other Considerations**

16. I have taken into account the Appellant's statement that the property has not been occupied for several years and requires extensive works to the exterior and interior, including to make the property more sustainable, particularly in terms of energy efficiency. I have no reason to doubt this statement and welcome the objectives to refurbish the property as well as to incorporate energy efficiency measures. However, these objectives would not on their own justify the grant of planning permission and my assessment has been primarily directed to the effect of the specific proposals before me on the character and appearance of the local area, including on existing high amenity trees.
17. I am satisfied that the information provided has appropriately addressed issues of land stability. The Council also raised no issue in this regard.

## Conditions

18. In terms of conditions, I shall impose a condition to require the proposed materials for the development hereby permitted to accord with those set out on the application forms, to ensure that they complement the existing property and respect the character and appearance of the local area. The approved plans should be listed for the avoidance of doubt and in the interests of good planning. It is not necessary to record the renders of the proposed development in this list in addition to the approved plans and elevations.
19. An arboricultural report was submitted with the application but this did not extend to include a detailed arboricultural and construction method statement in relation to the proposed development; this is required to protect existing trees on the site. In order to be effective and given the nature of the development, it is my view that this condition requires to be a pre-commencement condition. In accordance with Section 100ZA (5) of the Town and Country Planning Act 1990 and The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018, I have therefore requested and received the Appellant's written agreement to the imposition of this condition.

## Conclusion

20. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

*L J Evans*

INSPECTOR

## Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01, WLS.MA.19.1, existing – ground floor and first floor, proposed - ground floor and first floor, elevation south - existing and proposed, elevation west - existing and proposed, elevation north - existing and proposed, elevation east - existing and proposed,
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall accord with those set out on the application forms.
- 4) No site works or works on the development hereby permitted shall be commenced before an arboricultural and construction method report has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with BS3998 British Standard for Tree

Work and BS5387 Trees in relation to Design, Demolition and Construction (or an equivalent British Standard if replaced) and shall include:

- the position of existing trees including in relation to the proposed development and existing and proposed ground levels,
- any proposed pruning, felling or other works to these trees,
- the siting of and details of temporary tree protection fencing,
- construction method statements including construction routes.

The works shall be undertaken in accordance with the approved details and the fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

End of Schedule