



Appeal Decision

Site visit made on 23 June 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 July 2025

Appeal Ref: APP/P2114/W/25/3362635

Land adjacent to 115 Station Road, Wootton, Isle of Wight PO33 4RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr M Gauntlet Viella Homes Ltd against the decision of Isle of Wight Council.
 - The application Ref is 24/01393/RVC.
 - The application sought planning permission for Conversion of building from 7 flats into two dwellings; construction of 5 detached dwellings; new vehicular access, roadway and new footpath without complying with conditions attached to planning permission Ref P/00962/18, dated 8 November 2018.
 - The conditions in dispute are Nos 2 and 9 which state that:
'2. The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans, numbered/labelled:
A/5463/2 Rev A (Site layout and access as proposed, received 17/10/2018)
A/5463/3 Rev A (Floor plans and elevations – proposed bungalows)
A/5463/10 (floor plans of proposed conversion into 2 dwellings)
A/5463/12 proposed (garages)'
'9 No building shall be occupied until the means of access thereto for pedestrians based on the principles as detailed on drawing no. A/5463/2 Rev A dated August 2018 (Received 17/10/2018) providing for a pedestrian link between the site and the existing public footway the abuts the northern boundary of No. 99 Station Road, Wootton has been set-out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.'
 - The reasons given for the conditions are:
'2. For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with the aims of Policy DM2 (Design Criteria for New Development) of the Island Plan Core Strategy.'
'9. In the interests of highway safety and to comply with policy DM17 (Sustainable Transport) and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether varying conditions 2 and 9 would provide safe and convenient access to services and facilities with particular regard to sustainable transport modes.

Reasons

3. There is no footpath on the side of Station Road where the appeal site is situated. During my site visit, I observed that Station Road is a busy road with frequent vehicle movements in both directions.

4. The approved footpath link would provide safe and convenient access to the bus stop to the north of the site and was considered an essential part of the original scheme¹ to encourage sustainable travel and reduce reliance on private car use. Contrary to the appellant's contention, the approved footpath link would provide a relatively direct route and avoids the need for any road crossings to access the aforementioned bus stop.
5. Instead of the approved footpath, the proposal seeks to create a short section of footpath in front of Plot 4 and a new uncontrolled pedestrian crossing on Station Road. However, pedestrians would have to cross Station Road, Park View and Station Road again to access the bus stop on the side of Station Road where the appeal site is situated. There is no substantive evidence before me to indicate that this is a natural pedestrian desire line.
6. Given the busyness of Station Road and the multiple road crossings required to reach the bus stop, the proposal would result in a significantly less safe and convenient route for pedestrians. This would reduce the potential for residents to use sustainable transport modes and increase the likelihood of them taking unsafe shortcuts to access the bus stop via a section of road that has no footpath or verge.
7. Furthermore, details of the design of the proposed uncontrolled pedestrian crossing have not been provided, and in the absence of such information, I cannot be certain of its safety for all users.
8. In addition, without a mechanism, such as a planning obligation, to secure the provision of the pedestrian crossing, which is on land outside the appellant's control (and outside the appeal site boundary), there is no demonstrable certainty regarding its deliverability. Consequently, very limited weight can be attributed to the asserted benefits of the proposed crossing point.
9. While the local highway authority raises no objection to the proposal, their comments focus primarily on any implications to the highway network. The absence of objections from the highway authority does not, in itself, indicate that the proposal is acceptable in planning terms.
10. For the reasons given, varying conditions 2 and 9 would not provide safe and convenient access to services and facilities with particular regard to sustainable transport modes. Thus, there is conflict with Policy DM2 of the Isle of Wight Core Strategy and Development Management Development Plan Document (March 2012) insofar as it expects development to provide a functional, accessible and safe built environment.

Conclusion

11. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons given, the appeal should be dismissed.

U P Han

INSPECTOR

¹ Ref P/00962/18.