



Appeal Decision

Site visit made on 24 June 2025

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

an Inspector appointed by the Secretary of State

Decision date: 10th July 2025

Appeal Ref: APP/P2114/W/25/3362745

Land to rear of 53 Horsebridge Hill, Horsebridge Hill, Newport, Isle of Wight PO30 5TJ

- 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 Steve Redhead against the decision of Isle of Wight Council.
 - The application Ref is 24/01757/FUL.
 - The development proposed is change of use of a garage/workshop and storage to residential use.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address from the Appeal Form and the Council's Decision Notice given its absence on the Application Form.
3. Reference to 'retrospective' in the description of development on the Application Form is not a form of development so I have removed it from the banner heading.

Background and Main Issues

4. The appellant has submitted a signed Unilateral Undertaking providing a financial contribution towards affordable housing and the mitigation of impacts of the proposal on the Solent Special Protection Area. The Council has indicated that the satisfactory completion of the Unilateral Undertaking will address the reasons for refusal on those grounds. I have no reason to disagree with the Council's position on this.
5. Accordingly, the main issues in this appeal are:
 - the effect of the development on the character and appearance of the area; and
 - whether the development provides acceptable living conditions for its occupiers with regard to internal living space and outdoor amenity space.

Reasons

Character and appearance

6. The appeal site relates to a garage/ workshop that has been converted into a residential dwelling, currently occupied by residents. The site is located to the rear of residential properties fronting Horsebridge Hill. The west side of this section of Horsebridge Hill is characterised largely by brick-built two storey semi-detached

and terraced housing fronting the road with long gardens at the rear. The surrounding area is mixed in character, comprising housing of various age and design, along with some commercial uses.

7. The appellant has pointed to 43 Horsebridge Hill (No 43), a bungalow located to the rear of a dwelling fronting Horsebridge Hill. However, No 43 is not typical of the prevailing character and layout of development along Horsebridge Hill, and therefore does not justify the appeal development. This was also noted by two previous Inspectors in dismissing appeals for the erection of a dwelling at this same appeal site. Similarly to the previous Inspectors, I find that the development is in an unusual position for a dwelling, at odds with the established layout of the houses in the street due to its backland location, in contrast with the majority of residential properties which front the street.
8. Planning permission¹ was granted for the garage/ workshop in 2020. The building is single storey and features a large garage door facing Horsebridge Hill. Given the Council previously accepted the building's appearance, I cannot find the proposal would have an unduly negative visual impact on the surrounding area
9. A planning condition attached to the permission restricts the use of the building as a garage/ workshop in connection with the domestic insulation service associated with 53 Horsebridge Hill (No 53) only and for no other purpose. The reasons for the condition are to prevent nuisance and disturbance arising from alternative use of the premises and to protect the character of the area.
10. Bearing this in mind, the building's use as a separate dwelling intensifies the level of domestic activity in this backland location, altering its prevailing character which is defined largely by rear gardens. This activity may include the regular comings and goings of residents, parking and manoeuvring of vehicles and visits from guests. In addition, service related activity such as deliveries and waste collections would further contribute to the increased level of movements. The resulting change to the character and perception of the site creates a sense of backland intensification that is uncharacteristic of the traditional pattern and layout of housing development in the surrounding area.
11. While the appellant contends that residential use has a far less obtrusive impact than business use, there is insubstantial evidence before me to support this argument, particularly as the permitted use of the building was restricted in connection with No 53 only and for no other purpose. Furthermore, the building was immediately converted into a residential unit following its construction, so the implications of the permitted use were not realised.
12. Even if there would be limited potential for further backland development in the area, the dwelling fails to integrate with the prevailing character and pattern of housing development along Horsebridge Hill because of its incongruous siting and thus constitutes an awkward and uncharacteristic form of backland development.
13. Although the development does not appear cramped within its plot and there are examples of higher density residential development in the area, these factors do not overcome the harm arising from the proposal's ill-suited location.

¹ Ref. 20/00721/FUL.

14. The Council's first reason for refusal refers to conflict with Policy SP1 of the CS. Policy SP1 supports development on appropriate land within or immediately adjacent to the defined settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres. The Decision Notice says that use of the garage/ workshop building as a dwelling would result in development that would fail to enhance the character and context of the area and not therefore constitute appropriate land.
15. The requirement to enhance the character and context of the local area relates to development on non-previously developed land. The proposal relates to an existing garage/ workshop. Therefore, this part of Policy SP1 does not apply. Appropriate land is defined in the policy as 'deliverable within, and immediately adjacent to the settlement boundaries of the Key Regeneration Areas and Smaller Regeneration Areas.' The appeal site is within the settlement boundary of Newport, a Key Regeneration Area. Consequently, the development complies with Policy SP1.
16. Nevertheless, for the reasons given above, while the development does not unduly harm the appearance of the area, it materially harms the character of the area. Consequently, there is conflict with DM2 of the Island Plan Isle of Wight Core Strategy and Development Management Development Plan Document (March 2012) insofar as it requires development to have regard to and complement the character of the surrounding area.

Living conditions

17. The appeal building features a spacious open plan lounge, kitchen, dining area and two well-sized bedrooms. The bathroom is adequately proportioned, and the width of the hallway provides comfortable and convenient access to all the rooms. Overall, the internal layout of the building is functional and practical, effectively appearing to meet the needs of its occupants.
18. Access to the outdoor amenity space is available via the patio doors at the rear of the property as well as a side entrance. The space includes a decked area and a raised lawned garden providing a well-proportioned, accessible and versatile outdoor space. The amenity area appeared well-maintained and actively used by the residents.
19. For the reasons given, the development provides acceptable living conditions for its occupants with regard to internal living space and outdoor amenity space. Thus, it accords with Policy DM2 of the CS insofar as it requires development to provide functional and accessible built environments.

Other Matters

20. The appellant states that there is no overlooking from windows on the appeal property into adjoining sites. However, due to the proximity of the appeal building to the rear garden of a neighbouring property and the absence of any substantive boundary treatment to the northern boundary of the site, the two bedrooms windows of the appeal building look out directly into the garden of the neighbouring property. I could see from my site visit that the bedroom windows may open out into the neighbouring garden. Had I been finding differently on the first main issue, the effect of the scheme on privacy would have been a matter I would have had to explore further.

21. The site lies within the buffer zone of the Solent Special Protection (SPA). Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates that the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposed development. However, given my conclusions on the first issue, it is not necessary for me to consider this matter in any further detail.

Planning Balance and Conclusion

22. The appellant has drawn my attention to a post-hearing letter issued during the examination of the Island Planning Strategy (IPS). In the letter the Examining Inspectors advise that the proposed housing requirement in the IPS be modified to align with the higher housing need figure. While the letter provides a useful indication of the Inspectors' current thinking, the plan remains subject to potential changes and further consultation, as well as the final Inspectors' report. Therefore, only limited weight can be attached to the letter in this decision.
23. The Design and Access Statement suggests that the Council does not have a five year housing supply. However, insufficient information has been provided to support this statement. Notwithstanding this, the Housing Delivery Test 2023 measurement shows that the Isle of Wight achieved a result of 76% which means a buffer of 20% should be added to the identified supply of specific deliverable sites as set out in paragraph 78 of National Planning Policy Framework (the Framework), in addition to the requirement for an action plan. Neither main party have suggested that paragraph 11d) of the Framework is engaged. I have no basis to find otherwise.
24. Within the above context, the dwelling contributes to the area's housing supply and supports the Framework's objective of significantly boosting the supply of homes. The development is in an accessible location within a settlement. These are positive benefits in favour of the proposal, particularly in light of the under-delivery of housing in the area. However, given the small scale of the development, even if there was a housing shortfall, the benefits would be modest and attract moderate weight in the planning balance.
25. I appreciate that the current occupants of the dwelling would need to be re-housed if the appeal were dismissed. However, in this instance, the personal circumstances of the occupiers do not override the need for compliance with the development plan. Accordingly, that matter does not outweigh the harm I have identified.
26. While I have found that the development provides acceptable living conditions with regard to internal living space and outdoor amenity space, it materially harms the character of the area. I attribute this matter significant weight. This leads me to the conclusion that the development conflicts with the development plan, when considered as a whole.
27. Taken together, the benefits of the development do not outweigh the harm identified. Material considerations, including the stated benefits and the Framework, do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons given above, the appeal should be dismissed.

U P Han INSPECTOR