



Appeal Decision

Site visit made on 15 September 2025

by **Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 October 2025

Appeal Ref: APP/P2114/D/25/3370207

Shell Cottage, Ducie Avenue, Bembridge, Isle of Wight PO35 5NE

- 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 S Allocca against the decision of the Isle of Wight Council.
 - The application Ref. is 25/00470/HOU.
 - The development is described as *the retention of wall and pillars** (*see paragraph 2 below).
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a wall and pillars at Shell Cottage, Ducie Avenue, Bembridge PO35 5NE in accordance with the terms of the application, Ref. 25/00470/HOU, subject to the condition that the development hereby permitted shall be carried out in accordance with the following approved plan: Drawing No. 487:1.

Procedural Matter

2. The application has been submitted and processed on the basis of '*the retention of wall and pillars*'. However, 'retention' is not 'development' as defined by planning legislation and I have therefore dealt with the appeal as an application for retrospective permission.

Main Issue

3. The main issue is the effect of the wall and pillars on the character and appearance of the area and on the setting of the Bembridge Conservation Area.

Reasons

4. The appeal property forms part of an area characterised by detached houses of a substantial size and varied design in a mainly linear pattern of development sandwiched between two character areas of the Bembridge Conservation Area - to the northeast the 'Coastal Edge' and to the south the 'Historic Core'.
5. Shell Cottage has its northern flank boundary abutting Darts Lane, and it is to the north of this junction that the character of Ducie Avenue changes to a more verdant setting, with the dwellings on larger and more open plots and set well back amongst the trees.
6. Towards the south and the village centre, the closer juxtaposition of the houses to one another presents more of a 'street scene'. And as the Officer's Report says, '*In general, where there are walls and fences, these do not dominate the scene and vegetation is visible behind them with grass verges in front which soften the*

appearance. In addition, the road surface is gravelled with no clearly defined edge or kerbstone which often merges with these grass verges which also softens the appearance’.

7. I consider this to be an accurate appraisal and indeed recognise that there is some validity in the Report’s further observation that the boundary treatment at Shell Cottage *‘is in contrast to this appearance and appears almost fortress like’*. With that said, the site itself and its immediate surroundings are quite different from the context of nearby land described in the Report and repeated above, and this is material to my appraisal of the appeal application and refusal of permission.
8. By way of comparison, the gravel road remains but there are no verges, and Dulcie Avenue widens to accommodate the junction with Darts Lane. The land noticeably slopes downwards towards the woodland setting of this section of the Avenue. And with the significant gap to Wherry House and the presence of mature trees along the front, Shell Cottage is seen as an individual entity more than as part of a street scene. As regards the dwelling’s appearance, it has a horizontal emphasis and is of a simple design with a rectilinear form.
9. With the combination of these factors, I consider the formal boundary treatment of the (also rectilinear) brick wall, pillars and slatted wood insets is appropriate for the dwelling. The parking area remains outside of the main curtilage, and the resultant absence of a driveway means there is more frontage enclosure than other properties. However, given that the property and its immediate setting is markedly different to that of the other dwellings along the first section of Ducie Avenue from its junction with Sherborne Street, I see no disadvantage with this contrast.
10. The design and build quality of the boundary are in my view of a high standard, with the wooden insets providing visual relief from what would otherwise be too large an expanse of brickwork. The brickwork itself is of a colour that blends with the gravel surface of the road and the wooden slats and entrance gate in turn read well with the brickwork.
11. However, I acknowledge that the maximum height of the wall of 2.6m at the junction with Darts Lane does rather draw the eye with a consequential perception of too large a scale. This is the result of the fall in the land level in Ducie Avenue with the appellant retaining a level front garden. This is a disadvantage of the boundary treatment, but in my view is not such as to warrant a refusal of permission. I am also in agreement with the Council’s view that the location of the wall close to the boundary limits the potential for some low-level planting which could offset this effect, but again this is not enough to make the wall unacceptable.
12. In summary and also taking note that 11 of the 12 consultees on the application are supportive of the development, I find that the boundary treatment has no adverse effect on the character and appearance of the area and causes no harm to the setting of either of the two character areas of the Bembridge Conservation Area.
13. Accordingly, there would be no harmful conflict with Policies DM2, DM11 & DM12 of the Island Plan Core Strategy 2012; Policies D1, EH02 & EH04 of the Bembridge Neighbourhood Development Plan 2014, or with the requirements of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and referred to in Section 16: ‘Conserving and Enhancing the Historic Environment’ of the National Planning Policy Framework, revised December 2024.

14. I shall therefore allow the appeal. A condition ensuring that the development is consistent with the plan submitted with the application is needed for the avoidance of doubt and is in the interests of proper planning. This is a standard condition that uses the future tense notwithstanding that the application is retrospective.

Martin Andrews

INSPECTOR