

SUPPORTING STATEMENT

✓	Design and Access Statement.
✓	Planning Statement.
✓	Heritage Statement.



Proposal:-	Detached bungalow.
Site:-	Seawynds, St. Catherine's Road, Niton, Isle of Wight, PO38 2NA.
For:-	Mrs. L.J Dix.
By:-	<div style="text-align: center;"><p>AW ANDREW WHITE — PLANNING CONSULTANCY —</p><p>Chartered Town Planner The Planning Suite Brickfields Ryde Isle of Wight PO33 3TH</p><p>aw@andrewwhiteplanning.co.uk</p></div>
Date:-	January 2021.

CONTENTS

Chapter	Title	Page No.
1	Introduction.	3
2	Site and Location.	4
3	Description of Proposed Development.	9
4	Relevant Planning Policies.	14
5	Assessment of Main Issues.	18
6	Heritage Statement.	32
7	Conclusions.	36

1.0 INTRODUCTION

- 1.1 Andrew White Planning Consultancy Ltd is instructed by its client, Lynda Dix, to prepare and submit an application for full planning permission to construct a detached bungalow within an area of large side garden (including a detached timber garage) belonging to 'Seawyndyds', hereafter referred to as the donor property.
- 1.2 The site is outside of the nearest defined settlement boundary (Niton), but despite being part of the 'Wider Rural Area' for the purposes of the settlement hierarchy the surrounding area does exhibit built-up elements including ribbon development along the southern side of St. Catherines Road and is well connected to Niton in terms of pedestrian linkage and a regular bus route.
- 1.3 Although the site is neither within or immediately adjacent to a formally recognised settlement boundary, there are a whole host of circumstances that lend substantial support to the principle of building a dwelling on this site including a series of recent appeal decisions that have taken a more flexible approach. It will be explained later in this statement that Policy SP1, being the strategic policy concerned with the location of new housing development, is out of date. Therefore, the National Planning Policy Framework (NPPF) confirms that the presumption in favour of sustainable development applies meaning that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 1.4 The NPPF includes a policy that seeks to avoid isolated homes in the countryside unless exceptional circumstances apply. It will be shown that the walking distance to Niton village is reasonable and that most of the journey can be undertaken on a pavement. There is a bus stop within 180 metres of the site. As such, the site is fairly well connected such that future occupiers would not be compelled to rely on their car for making certain journeys and therefore the site can be described as being sustainably located providing alternative means of travel to the car as required by Policy DM17.
- 1.5 This proposal has been approached very carefully. We are seeking to optimise the full potential of this generously proportioned level site, whilst paying due regard to constraints including access, views, adjoining buildings and particularly the setting of the neighbouring listed building. We have also commissioned a Ground Stability Appraisal owing to localised ground conditions.
- 1.6 In addition to this Statement, which constitutes the Planning, Design, Access and Heritage Statement, the application is also accompanied by a full suite of drawings and visualisations to satisfy both national and local 1APP requirements and a Desk Study & Reconnaissance Report by Cowan Consultancy. The purpose of this Statement is to examine the planning merits of the proposal, having regard to the provisions of the Development Plan and other material considerations, including the National Planning Policy Framework (NPPF). It is structured as follows:

- **Chapter 2** – describes the site and the surrounding area;
- **Chapter 3** – describes the proposed development;
- **Chapter 4** – summarises the relevant provisions of the Development Plan and the NPPF;
- **Chapter 5** – provides an assessment of the planning merits of the scheme;
- **Chapter 6** – provides the mandatory Heritage Statement;
- **Chapter 7** – contains our conclusions.

2.0 SITE AND LOCATION

Site Identification

- 2.1 Seawynds is located on the southern side of St. Catherines Road some 85 metres west of the junction with Castlehaven Lane and some 225 metres (as the crow flies) from the junction with Undercliff Drive. The following aerial image confirms the precise whereabouts of the site, which is outlined in red with other land controlled by the applicant outlined in blue:-



Image 1 – Aerial View.

Site Characteristics

- 2.2 Seawynds is a very elegant and attractive bungalow finished with a pale cream smooth render, with wooden windows, stone sills and decorative fascia boards painted to match. The bungalow has a natural slate roof. There is an attached garage on its eastern side, a fairly modern glazed garden room extending from the west side elevation and a detached garage finished with natural timber cladding under a slate

roof occupying part of the wide gap between Seawynds and the neighbouring property, St. Catherines House.

- 2.3 There is a natural stone wall along most of the highway boundary varying in height between 1.2 and 1.7 metres. There are three access points through the wall; of which two are vehicular (at the eastern and western ends of the frontage) and one is pedestrian (slightly off centre). All three are gated. The eastern access has gates that are set circa. 1 metre back from the highway edge whereas the western access point includes solid timber gates that are positioned on the highway boundary.
- 2.4 The natural stone wall returns along both side boundaries. The western boundary divides the proposed plot from the neighbouring listed building, being St. Catherine's House. The wall continues along most of the western boundary varying in height between 1.7 and 2.4 metres.
- 2.5 Much of the garden to Seawynds including the proposed plot is fairly flat and comprises of mature gardens; although that said the red line application site is devoid of any meaningful trees acting as a constraint to the development. The frontage comprises a large gravel driveway, planted beds, some evergreen hedging, a small greenhouse and oil tank.





Images 2 – 8 – Photographs of the site and donor property.

Character and Context

- 2.6 The application site is part of a large residential plot forming a built-up frontage on the southern side of St. Catherines Road. Within the wider area including Castlehaven Lane and Sandrock Road there is a substantial presence of dwellings, almost forming a rural satellite settlement to the nearby village of Niton. The immediate area includes dwellings of mixed size, age and style, including material references and character traits associated with Niton.





Images 9 – 12 – Photographs of adjoining and nearby buildings.

Designations and Constraints

- 2.6 The site is not within or immediately adjacent to a defined settlement boundary. The site is, however, fairly close (circa. 400 metres as the crow flies) from the settlement boundary that defines the Niton Rural Service Centre. It is therefore part of the Wider Rural Area (WRA) for the purposes of the settlement hierarchy. It is within the Area of Outstanding Natural Beauty (AONB). The neighbouring property to the west, St. Catherine's House, is a Grade II Listed Building. Further detail relating to the listing and the significance of that heritage asset will be provided under the 'Heritage Statement', which constitutes a standalone chapter later in this statement.

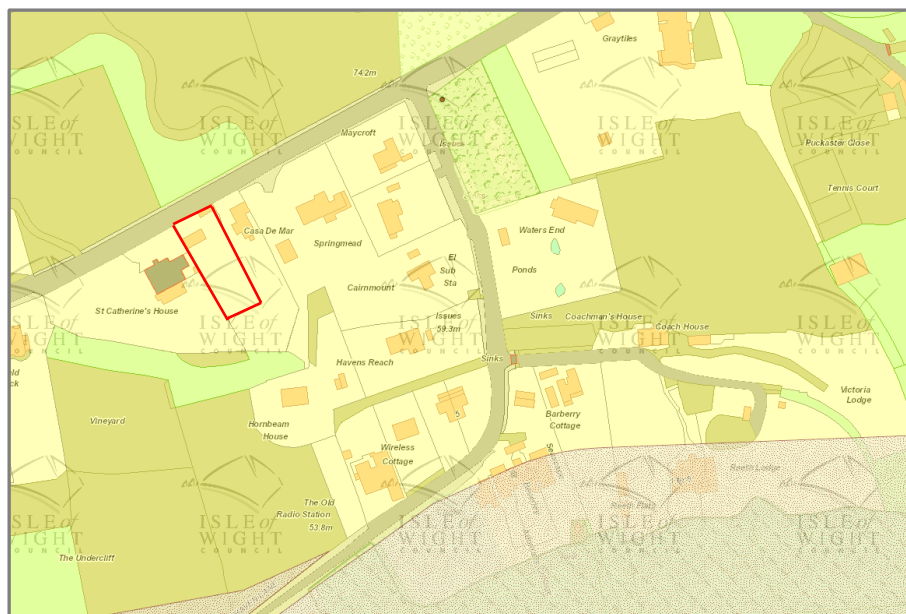


Image 13 – Constraints map extracted from the Councils website.

Planning History

- 2.7 **TCP/16422/C – P/02108/02** – 1st floor extension to form en-suite bedroom; single storey conservatory extension, balcony on south elevation – APPROVED 10 January 2003.

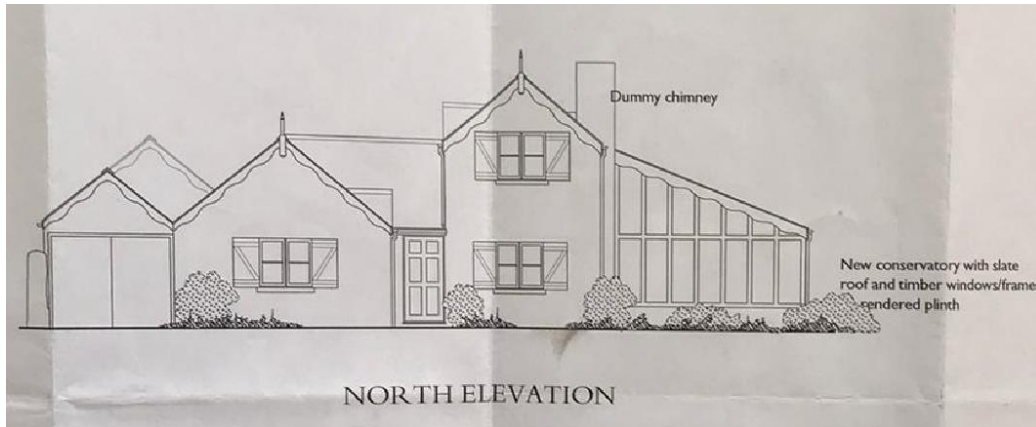


Image 14 – Approved front elevation – January 2003.



Image 15 – Photograph showing 'Seawynds' as is confirming that the 2003 permission for the first floor extension was not implemented.

- 2.8 **TCP/13473E/S/23193** – Outline for a detached dwelling on land adjacent to St. Catherine's House was **ALLOWED** on appeal on 21 November 1989. The allowed scheme relates to land that now forms part of the proposed plot, but at that stage the land belonged to St. Catherine's House. It was sold to Seawynds many years ago. The local authority had refused permission on the grounds that introducing a new dwelling into this plot would impact upon the character and local scenery which forms part of an Area of Outstanding Natural Beauty (AONB). The Inspector did not agree and granted permission:-

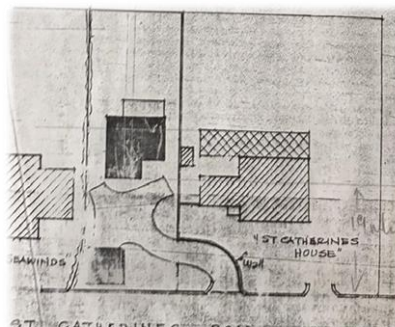


Image 16 – Site plan showing the allowed layout.

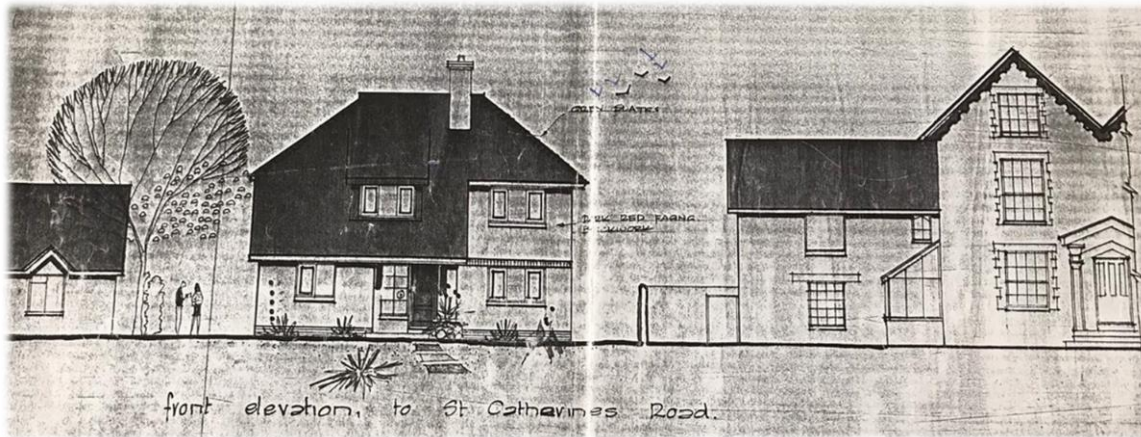


Image 17 – Allowed street scene.

3.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

- 3.1 Full planning permission is sought to construct an individually designed single storey dwelling within the part of the large side garden belonging to the donor property, 'Seawynds'. The development is best described by following the format of a Design and Access Statement.

Use

- 3.2 The proposed dwelling would fall into Use Class C3 (dwelling house).

Amount

- 3.3 This application seeks permission for **one** dwelling. The submitted floor plans show **two formal** bedrooms with an additional inner room that would principally be used as a studio/workspace by the applicant, but with a fold down bed for guests. It would have an **internal floor area of circa. 115 square metres**.

Layout

- 3.4 The proposed dwelling would be on the western side of the donor property and would sit behind the forward most part of 'Seawynds', whilst not extending beyond the rear most part (see the purple broken lines on the site plan inserted below (Image 18)). It would partially overlap the footprint of the existing garage, which is outlined red on Image 18 below. The general alignment of the proposed dwelling suits the proportion of the plot and the shapely footprint would relate well to both neighbouring buildings.
- 3.5 The positioning of the proposed dwelling is most logical in relation to the wider street scene as it would essentially constitute an 'infill' plot, whilst observing the general building line that characterises the linear arrangement of dwellings bordering the southern side of St. Catherine's Road.
- 3.6 The layout is highly legible as the altered vehicular access would sit centrally to the plot frontage, including a resin bonded gravel surfaced driveway, parking and

manoeuvring area directly forward of the house with a gradual ramped entrance leading to a level threshold into the front elevation.

- 3.7 There would be a partially enclosed courtyard garden from the east elevation and a patio to the south from the open plan living/kitchen/diner.

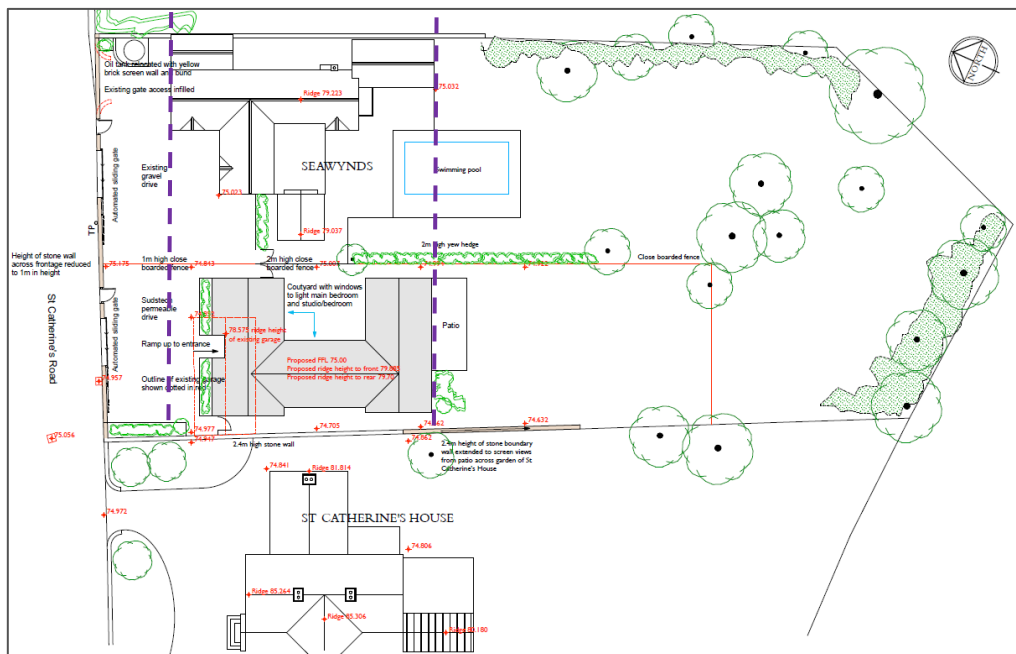


Image 18 – Proposed site plan.

Scale and Appearance

- 3.8 The proposed dwelling would have a maximum width facing towards the highway of 10.2 metres. Its maximum length from front to back would be 16.35 metres. The building is essentially planned on the basis of an irregular 'H' shaped footprint with the bedroom wing at the front, living wing at the back connected by a smaller section forming the studio/utility/inner hall. This shapely approach helps to break-up the overall massing of the building assisted by the courtyard garden on one side and a subtle recess midway along the western elevation.
- 3.9 The building, being purely single storey, would measure 2.5 metres to eaves and 4.8 metres to ridge.
- 3.10 Our approach has been based on achieving a careful transition between the scale and height of 'Seawynds' to the east as a bungalow and St. Catherine's House to the west as a tall and imposing house. Given the listed status of St. Catherine's House we have been mindful to keep the proposed building height as low as possible, but without appearing disproportionately small. The proposed scheme strikes a very good balance, aided by a generous separation distance with St. Catherine's.
- 3.11 As well as managing height and massing very carefully, we have also taken a unique and simple (yet elegant) approach to the design and appearance of the dwelling. It is based on a fairly modern interpretation of hebridean homes including natural timber

cladded elevations, gables and considered use of glazing in order to integrate indoor with outdoor spaces capitalising on far reaching views.



Images 19 – 21 – Design precedents.

- 3.12 In addition to untreated timber, the building would be finished with a natural slate roof, slimline aluminium framed windows and galvanised rainwater goods. The cladded elevations would sit upon a low plinth of grey brickwork



Images 22 & 23 – Proposed visualisations.

Access

- 3.13 The existing property currently benefits from two vehicular accesses and one pedestrian access. All three would be changed resulting in repositioned vehicular access points to optimise visibility by also reducing the height of the roadside wall, whilst providing a pedestrian access for each property as well.



Image 24 – Existing east access.



Image 25 – Existing west access.

- 3.14 We engaged with Island Roads through the pre-application process. Subject to on-site vehicle parking and turning being provided for both the existing and proposed dwellings, it was stated that the repositioning of the access points and associated visibility improvements could be supported on highway safety grounds. The proposed dwelling would be set back from the road by 8 metres and the plot is 13 metres wide therefore providing more than enough space for two parking bays and a turning area such that vehicles can enter and leave St. Catherine's Road in a forward gear. The donor property would be left with an even larger frontage.
- 3.15 The proposed dwelling would be served by a gradual ramped access and level threshold in order to be fully DDA compliant. The proposed driveway will be surfaced

with a permeable resin bonded gravel solution therefore having a sensitive aesthetic, whilst also being highly practical to manoeuvre push chairs, wheels chairs etc.

Landscaping

- 3.16 The site is flat and already has a domestic appearance being neatly maintained lawn, beds, shrubs etc. along with the current garage and gravel driveway.
- 3.17 It is essentially the case of simply introducing a pleasantly designed modest single storey dwelling into the existing garden as shown below. Other than the removal of the garage, some small trees and shrubs the proposed dwelling would sit between a mature Yew hedge to the east and a natural stone wall to the west, without requiring any significant engineering or retaining works. As such, the direct impact of the proposed development is limited to its footprint meaning that the wider landscape setting of the site would not significantly change and the development would integrate nicely into this garden environment.



Image 26 – Photograph showing the nature of the existing garden plot.

- 3.18 The proposed plot would mainly be defined by fencing along the newly created eastern and southern boundaries, whilst the natural stone wall on the western boundary would be retained and partially heightened (as shown on the submitted plan) at the request of the neighbour. The proposed increase in height would help to emphasise the walled garden enclosure for both the plot and the neighbour at St. Catherine's House and would not be higher than the existing wall. The highway boundary wall will be adapted in order to reposition access points and to improve visibility, but we recognise the significance of this as a feature and therefore all existing stone will be re-used and made good in order to retain this as a form of enclosure within the street scene.

- 3.19 The proposed driveway, as mentioned above, will be replaced with a resin bonded gravel solution as this provides for a gentle and attractive aesthetic, whilst providing for a practical surface.

4.0 RELEVANT PLANNING POLICIES

- 4.1 The Planning and Compulsory Purchase Act 2004 s38(6) states that the determination of this application must be made in accordance with the relevant Approved Development Plan, which in relation to this proposal is the Island Plan Core Strategy (IPCS). Where development does not comply with policy, say for example Policy SP1 of the IPCS, s38(6) does state that permission can still be granted depending on the specific circumstances of the proposal. Before identifying the relevant 'local plan' policies it is firstly necessary to consider the National Planning Policy Framework (NPPF) as policies developed at a local level must be in conformity with the national picture. **Also, because certain local policies within the IPCS are out of date it means that the NPPF carries even greater weight.**

4.2 NPPF

- 4.2.1 The 2019 NPPF tightens the definition on the presumption in favour of sustainable development and increases the emphasis on high-quality design and place-making. It confirms that Councils will be the subject of a Housing Delivery Test focused on driving up the number of homes delivered in their area. Whilst the emphasis is on increased delivery, the revised Framework recognises that the quality and design of housing is crucial to ensuring greater community support. **There is to be a greater reliance on small sites coming through the planning system, such as this proposal.**
- 4.2.2 A fundamental element of the NPPF is to achieve sustainable development and identifies three dimensions to sustainable development. These are regarded by the NPPF as being interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): -
- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth;
 - **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity and adapting to climate change, including moving to a low carbon economy.

- 4.2.3 **Paragraph 11** confirms the presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; **or where the policies which are most important for determining the application are out-of-date (as is the case here), granting permission unless:**

“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

- 4.2.4 **Paragraph 59** supports the Government’s objective of significantly boosting the supply of homes stressing it is important that a sufficient amount and variety of land can come forward where it is needed; that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.2.5 **Paragraph 61** offers support for people wishing to commission or build their own homes.
- 4.2.6 **Paragraph 68** stresses that **small sites can make an important contribution to meeting the housing requirement of an area**, and are often built-out relatively quickly.
- 4.2.7 **Paragraph 73** states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, **or against their local housing need where the strategic policies are more than five years old. (Note: - The current Core Strategy was adopted in March 2012 and is therefore 8 years old and thus out of date insofar as the strategic housing policies are concerned).** The supply of specific deliverable sites should, in addition, include a buffer of 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 4.2.8 **Paragraph 77** states that in rural areas, planning policies and decisions **should be responsive to local circumstances and support housing developments that reflect local needs.**
- 4.2.9 **Paragraph 78** states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.
- 4.2.10 **Paragraph 117** states that planning decisions should **promote the effective use of land in meeting the need for homes making as much use as possible of previously-developed or ‘brownfield’ land.** The Court of Appeal decision of *Dartford Borough Council v Secretary of State for Communities and Local Government & Anor [2017] EWCA Civ 141* has found that the term ‘previously developed land’ as defined by the glossary forming part of the NPPF does include private residential gardens in

an area that is not built-up. Such definition only specifically excludes private residential gardens in a built-up area, i.e areas within defined settlements.

4.2.11 **Paragraph 118** states that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

4.2.12 **Paragraph 123** states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that developments make optimal use of the potential of each site.

4.2.13 **Paragraph 127** states that decisions should ensure that new developments:-

- function well and add to the overall quality of the area;
- are visually attractive as a result of good architecture, layout and appropriate landscaping;
- are sympathetic to local character and the surrounding environment, while not preventing or discouraging appropriate change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of spaces, building types and materials to create attractive, welcoming and distinctive places to live;
- optimise the potential of the site to accommodate and sustain an appropriate amount of development (including green space) and support local facilities and transport networks.

4.2.14 **Paragraph 172** states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection.

4.2.15 **Paragraph 189** – requires applicants to provide a proportionate level of detail as to the impact of the proposal on any heritage assets affected.

4.2.16 **Paragraph 192** – states that applications must be determined by taking into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution of the heritage assets;
- the desirability of making a positive contribution to local character and distinctiveness.

- 4.2.17 **Paragraph 196** – relates to proposals which will lead to less than substantial harm to designated heritage assets and states any harm should be weighed against the public benefits of the proposal including securing its optimum viable use.

4.3 Island Plan Core Strategy (IPCS)

- 4.3.1 **Policy SP1 (Spatial Strategy)** of the Island Plan Core Strategy states that:-

*'The Council will, in principle and in line with its overarching approach to economic led regeneration and national policy, support development on appropriate land within or immediately adjacent the defined settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres and will prioritise the redevelopment of previously developed land where such land is available, suitable and viable for the development proposed. **Unless a specific local need is identified, development proposals outside of, or not immediately adjacent to the.....defined settlements will not be supported.**'*

- 4.3.2 **Policy SP2 (Housing)** sets out housing delivery targets across the life of the Plan. Whilst outside of the defined settlement boundary, the site is nevertheless within the Medina Valley Key Regeneration Area, which according to SP2 is expected to provide for 1,350 homes over the lifetime of the Core Strategy (2012 – 2027).

- 4.3.3 For the record, Policies SP1 and SP2 are out of date because the Council does not have a five year supply of housing land and it also has a record of persistent under-delivery stretching back for at least three years. **As such, Paragraph 11 of the NPPF states that the presumption in favour of sustainable development applies whereby permission should be granted in cases like this unless the impacts of doing so would substantially and demonstrably outweigh the benefits.** The previous targets contained within SP2 have essentially been replaced by the Councils 2018 Housing Needs Assessment (HNA) which confirms the annual housing figure as being 641 dwellings, although Central Government republished the outcome of the Standard Methodology for calculating housing need in December 2020 and have confirmed that the annual housing requirement for the Island is actually 688. The Objectively Assessed Need (OAN) for The Bay (being the sub-market area including Niton) 201 dwellings per annum. Table 71 of the HNA (included below) confirms that the greatest market housing need in this sub-area is for three bedroom dwellings:-

Table 71: Estimated size mix of dwellings required by sub-area – market housing

	1-bedroom	2-bedrooms	3-bedrooms	4+-bedrooms
Bay	4%	36%	46%	14%
Medina Valley	6%	40%	40%	14%
Medina Valley – East	8%	40%	37%	15%
Medina Valley – West	5%	40%	42%	14%
Ryde	5%	37%	40%	18%
West Wight	7%	33%	44%	16%
Total	5%	37%	43%	15%

Source: Housing Market Model

- 4.3.4 **Policy SP5 (Environment)** - states that the Council will support proposals that protect, conserve and or enhance the Island's natural and historic environments.
- 4.3.5 **Policy SP7 (Travel)** - Proposals should not negatively impact on the Island's Strategic Road Network.
- 4.3.6 **Policy DM2 (Design Quality for New Development)** – states that the Council will support proposals for high quality and inclusive design to protect, conserve and enhance our existing environment whilst allowing change to take place. Development should optimise the potential of the site and complement the character of the surrounding area.
- 4.3.7 **Policy DM3 (Balanced Mix of Housing)** – states that development proposals will be expected to reflect the most up-to-date Strategic Housing Market Assessment (SHMA) and contribute to meeting the identified housing need for the local area.
- 4.3.8 **DM12 (Landscape, Seascape, Biodiversity and Geodiversity)** – the Council will support proposals that conserve, enhance and promote the landscape interests of the Island.
- 4.3.9 **DM17 (Sustainable Travel)** – Demonstrate that proposals are well related to the highway network.

5.0 ASSESSMENT

- 5.1 The determination of this application will turn on the following main issues:-
- The principle of building a dwelling on this site, in this location and the presumption in favour of sustainable development;
 - Whether the proposed development would cause significant and demonstrable harm to the character and appearance of the surrounding area recognising the AONB status;
 - Whether the development, owing to its position and scale, would harm the amenities and living conditions of neighbours;

- Highway safety;
- Ground stability.

5.2 The application site is immediately adjacent to a Grade II Listed Building. As such, and in accordance with the NPPF, a Heritage Statement is required so this will be provided under the next chapter. But for now, this current chapter will focus on the range of other relevant material considerations.

Principle of building on this site in this location

The strict policy position

5.3 Policy SP1 is the overarching strategic policy that seeks to restrict new build development to specific areas of the Island, being those areas that are generally more built-up and sustainable in nature therefore seeking to minimise the journeys that people have to make. It states, amongst other things, that the Council will in principle support development on appropriate land within or immediately adjacent to defined settlement boundaries. Taking into account the location of the site, as a matter of fact, it is not within or immediately adjacent to the settlement boundary that defines the extent of the Niton Rural Service Centre. As such, the proposal does come into technical conflict with Policy SP1. However, as will be explained in detail below there are many other factors that weigh in favour of the proposal.

Other significant legislative and policy considerations

- 5.4 Firstly, planning law makes it explicitly clear that applications for new development must be determined in accordance with the local development plan (being the Island Plan Core Strategy 2012 in this instance) but caveats this by saying “*unless material considerations indicate otherwise*”. Annex 1 of the NPPF states that its policies “*are material considerations which should be taken into account in dealing with applications.*”
- 5.5 Turning attention to the NPPF, Paragraph 11 states that decision-making should apply a presumption in favour of sustainable development. **This means approving development proposals where the local policies which are most important for determining the application are out of date unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.** The NPPF includes an important footnote to explain what it means by ‘*out of date*’. One example being applications for new housing where the Council cannot demonstrate a five year supply of deliverable housing sites.
- 5.6 The Council has published its ‘Five Year Land Supply Update 2018’ report, which is the most up-to-date version. It indicates that, as of 1 April 2018, forward supply amounts to around 83.15% of that necessary to demonstrate a 5-year housing land supply. Thus, the Council cannot currently demonstrate a 5-year supply of deliverable

housing sites. In this context, the presumption in favour of sustainable development contained within paragraph 11 d) of the NPPF is engaged meaning that planning permission should therefore be granted unless any adverse effects associated with this proposal significantly and demonstrably outweigh the benefits. Simply being outside of a settlement boundary is not considered to be an ‘adverse effect’.

- 5.7 A further example of being ‘out of date’ is where the Housing Delivery Test (HDT) indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. The Ministry of Housing, Communities and Local Government (MHCLG) recently published the outcome of the latest Housing Delivery Test (HDT) on the 19th January 2021. This confirms that the number of homes required over the relevant three year period (2017 – 2020) was 1,823 across the Island but only 978 were delivered resulting in an HDT measurement of 54% being one of the lowest across the entire country (see Image 27 below). This demonstrates persistent under delivery on the part of the LPA. The consequence of this as confirmed by MHCLG is that the presumption in favour of sustainable development must apply on the Island.

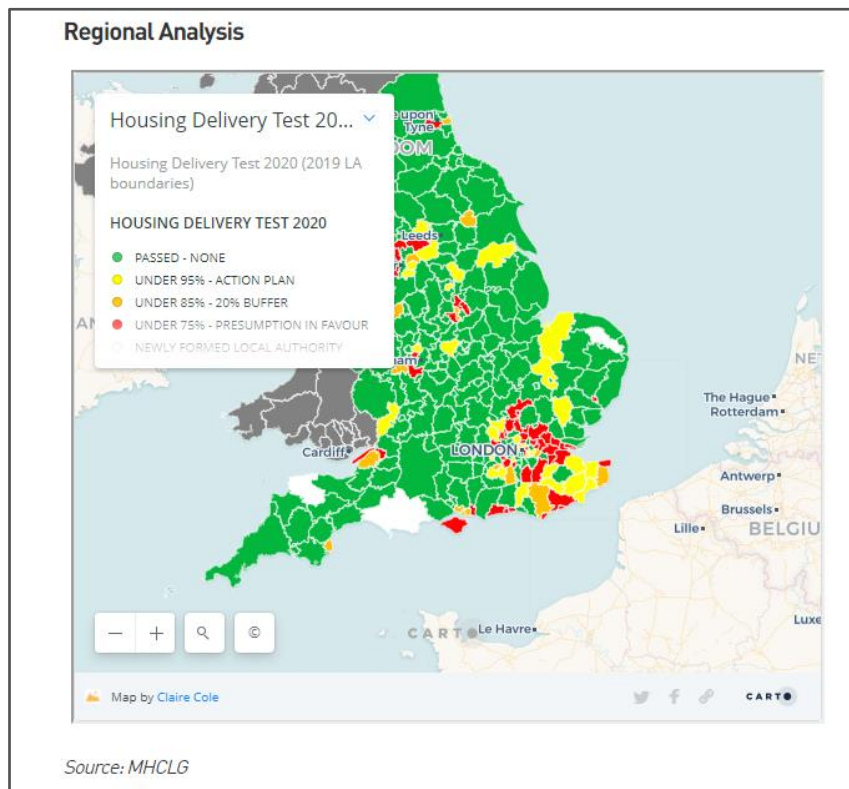


Image 27 – HDT regional map.

- 5.8 In order to evaluate whether the proposed development would constitute ‘sustainable development’ it is necessary to demonstrate that the dwelling would perform the three interlinked roles identified under paragraph 4.2.2 above being **economic, social and environmental**. Before explaining how the proposal would indeed achieve this, it is necessary to review some recent appeal decisions and to better understand the rationale underpinning the decision to ALLOW four cases offering similar locational and site circumstances to our proposal.

Recent Appeal Outcomes and Relevant Decisions

1. Aldermoor Farm, Upton Road, Ryde

- 5.9 The Aldermoor Farm planning appeal decision dated 21 February 2020 (P/00347/19 - proposed conversion of barns to provide 3 dwellings) makes specific reference to the status of Policy SP1 in the Island Plan Core Strategy. In respect of that policy the inspector decided:-

“this policy is out of date in so far that it is not consistent with the less restrictive rural housing policy as outlined in the Framework. Consequently, I afford the conflict with this policy only limited weight in the overall planning balance. Weighed against this is the fact that the proposal would not conflict with the rural housing and accessibility aims of the Framework. Indeed, the development would not be isolated, and the appeal site is in an accessible location. In respect of the latter consideration, the proposed development would not therefore conflict with the accessibility requirements of Policies SP7 and DM17 of the IP.”

- 5.10 With regards to accessibility, the Aldermoor Farm Inspector decided as follows:-

“There is no footway alongside the road from the site for approximately 0.2 miles in the direction of Ryde. However, this section of Upton Road is subject to a 30mph speed limit, has some street lighting, and has some sections of grass verge which offers some informal refuge from oncoming vehicles for pedestrians. Therefore, considering the relatively short distance, travelling to Ryde would not present any significant physical restrictions for pedestrians and cyclists. A bus service operates from Upton Road to Ryde, with hourly services between 08:16 and 17:21 every day except Sundays and Public Holidays. There is also a designated cycle route close to the site at Upton Cross with links to other settlements across the island. Taking all these factors into account, I am satisfied that the appeal site is in an accessible location.”

- 5.11 The appeal decision is relevant to this planning application for Seawynds as there is a local bus route and an almost continuous length of pavement linking the site with the centre of Niton therefore the accessibility credentials cited in the Aldermoor appeal decision can be equally applied as will be discussed below.

2. Cherry Tree Cottage, Sandy Lane, Blackwater

- 5.12 The Cherry Tree Cottage Appeal decision (P/00312/19, 27th February 2020) raises significant planning issues which add positive weight to the determination of this application for Seawynds. The proposal for a single dwelling was supported on balance, and in light of the appeal Inspector's comments as follows:-

27. Reference is made to the Council's Five Year Land Supply Update 2018 and a recent appeal which indicated that the Council as of 1 April 2018 cannot demonstrate a five year land supply, and I have not seen evidence to show otherwise.

28. Paragraph 11 of the Framework states that in these circumstances relevant policies for the supply of housing should not be considered up-to-date and the presumption in

favour of sustainable development means that planning permission should be granted unless (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development, or (ii) that any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole (the tilted balance).

30. The main adverse impact of the proposal would be due to its conflict with the overall spatial strategy set out in policy SP1 of the IP. However, combining the modest scale of the proposal, which is unlikely to seriously undermine the spatial strategy, with the degree of choice, albeit limited, as to the modes of transport available to future occupants of the dwelling to nearby facilities, overall the degree of resulting tangible adverse impact arising from the conflict with the development plan would be limited.

31. The principal benefit of the proposal would be the provision of an additional dwelling to the housing supply where there is unmet demand. It would also bring economic benefit as a result of the construction, and the social and economic benefits associated with the occupants of an additional dwelling supporting local services. Additionally, the development is likely to be a self-build dwelling that would benefit the appellant and his family and would make more efficient use of previously developed land, as defined in the Framework. Paragraph 61 of the Framework includes some general support for people wishing to commission or build their own homes and paragraph 117 promotes the effective use of land in meeting the need for homes in a way that makes as much use as possible of previously developed land.

32. I therefore find that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. Therefore, the presumption in favour of the development applies in relation to the circumstances of this case.

33. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, although the proposal conflicts with policy SP1 of the IP, the presumption in favour of the development constitutes a material consideration of significant weight that justifies a determination other than in accordance with the development plan.

- 5.13 The findings of the Inspector under Paragraph 30 of the appeal decision (as underlined) are particularly relatable to this proposal for Seawyndyds. Also, the underlined part of Paragraph 31 confirms that residential gardens in certain situations (such as Sandy Lane AND Seawyndyds) are defined as previously developed land. This is important as it elevates the priority for building on previous developed land.

3. 316 Fairlee Road, Newport

- 5.14 The 316 Fairlee Road Appeal decision (P/00343/19, 27th February 2020) raises significant planning issues which add positive weight to the determination of this application for Seawyndyds. The proposal for a single dwelling was supported on the strength of the 'planning balance', and in light of the appeal Inspector's comments as follows:-

The appeal site is within a short walk to a bus stop with a regular service into Newport where a good range of local services and facilities are located. There is also a reasonable pedestrian and cycle route into Newport but given the distance of over a mile, this is likely to deter some pedestrians from using the route routinely. Nevertheless, I accept that there would be a degree of choice as to how future occupants might travel, which may reduce their reliance on the private car.

The main adverse impact of the proposal would be due to its conflict with the overall spatial strategy set out in policy SP1 of the IP. However, in view of the small scale of the proposal and the reasonable level of accessibility of the site to nearby facilities, there would be limited tangible harm as a result of this conflict. The principal benefit of the proposal would be the provision of an additional dwelling to the housing supply where there is unmet demand. It would also bring economic benefit as a result of the construction, and the social and economic benefits associated with the occupants of an additional dwelling supporting local services. Accordingly, I find that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. Therefore, the presumption in favour of the development applies in this case.

- 5.15 This particular appeal offers very similar circumstances to Seawynds in terms of characteristics, scale and accessibility. This will be mentioned again later in this statement.

4. Land adjacent to Oxleigh, Southdown Road, Freshwater

- 5.16 The Oxleigh Appeal decision (P/01356/18, 5th August 2020) also raises significant and highly comparable planning issues, which adds positive weight to the determination of this application for Seawynds. Oxleigh is outside of and some distance from the nearest settlement boundary for Freshwater. Southdown Road is an unmade track, displaying rural attributes within the AONB. It is within the Wider Rural Area. The Inspector commented as follows:-

“14. Overall, whilst I accept there would be a degree of choice as to how future occupants might travel, it is nevertheless likely that given the location of the appeal site, vehicular trips by car would be the dominant mode of travel. Therefore, this would not be fully in accordance with the thrust of policy SP7 of the IP which supports proposals that increase travel choice and provide alternative means of travel to the car.

17. Therefore, I find that, although the location of the site would allow some degree of choice for journeys other than by car, occupants are nevertheless likely to rely on the car as a principal means of travel. As such the appeal site is not within the most sustainable locations identified in the spatial strategy in policy SP1, and a specific local need to justify the location of the development is not demonstrated. Accordingly, the proposal would be inconsistent with policy SP1 of the IP relating to the location of new housing development.

32. There is no dispute between the parties that the Council’s Five Year Land Supply Update 201810 shows that as of 1 April 2018, the Council cannot demonstrate a five year land supply. Paragraph 11 of the Framework indicates that in these circumstances the most important policies for determining the proposal relating to the supply of

housing should not be considered up-to-date. It follows that policy SP1 setting out the spatial strategy attracts only limited weight.

33. The presumption in favour of sustainable development in paragraph 11 of the Framework means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

35. The main adverse impact of the proposal would be due to its conflict with the overall spatial strategy set out in policy SP1 of the IP and the limited accessibility of the site contrary to policy SP7 of the IP. However, combining the modest scale of the proposal with the degree of choice as to the modes of transport available to future occupants of the dwelling to nearby facilities, overall the resulting tangible adverse impact arising from the conflict with the development plan would be limited, and unlikely to seriously undermine the spatial strategy.”

- 5.17 Having identified the rationale of Planning Inspectors when presiding over very recently allowed appeals (during 2020), we assert that the current proposal for Seawynds is equally justifiable for reasons that will be outlined below.

Accessibility and Sustainability

- 5.18 The Rural Sustainability Matrix was created by the Isle of Wight Council to “set out a hierarchy of settlements across the Island based upon access to local shops, transport networks, local schools and health provision etc. and is a way to identify which settlements have the ability to take growth.” The Parish of Niton and Whitwell is included within this matrix and scored a total of 34 points – the highest of any rural settlement on the Island and as such has access to many services, amenities and facilities to support day to day living:-

“Niton & Whitwell combined have a population of 1,982. They both have good access to a range of services and facilities along with good public transport access and Niton has a primary school, GP Clinic and a permanent library service. Overall, Niton is scored higher than Whitwell, however both settlements would be in a position to accommodate some form of growth.”

[Source: - IOWC Sustainability Matrix).

- 5.19 It is clear that Niton is a sustainable rural location with various facilities, services and public amenities (including medical, educational, cultural, retail/post office and leisure) such that residents need not travel very far and can generally access these on foot or public transport without having to rely on the private car.
- 5.20 It is widely recognised that people are more likely to walk if their destination is within a typical catchment of circa. 800m, or a 10 minute walk (Chartered Institution of Highways and Transportation). The following aerial view identifies the application site with a red outline. The yellow broken line measures 580 metres and is the distance between the site and the settlement boundary. The blue broken line extends through to the entrance into the primary school and is circa 400 metres long, thus totalling less

than 1km between the site and various village amenities. Most of the walking journey as shown can be conducted via a pavement. It would only be necessary to walk along a short section of St. Catherine's Road without a pavement, which is a very quiet road and thus careful use by pedestrians is perfectly acceptable if following advice contained in the Highway Code.

- 5.21 Within 200 metres of the site to the west is a bus stop forming part of the No. 6 route. This provides a connection to the centre of Niton, to the neighbouring villages of Chale and Whitwell and through to the towns of Ventnor. The service runs 7 days of the week.

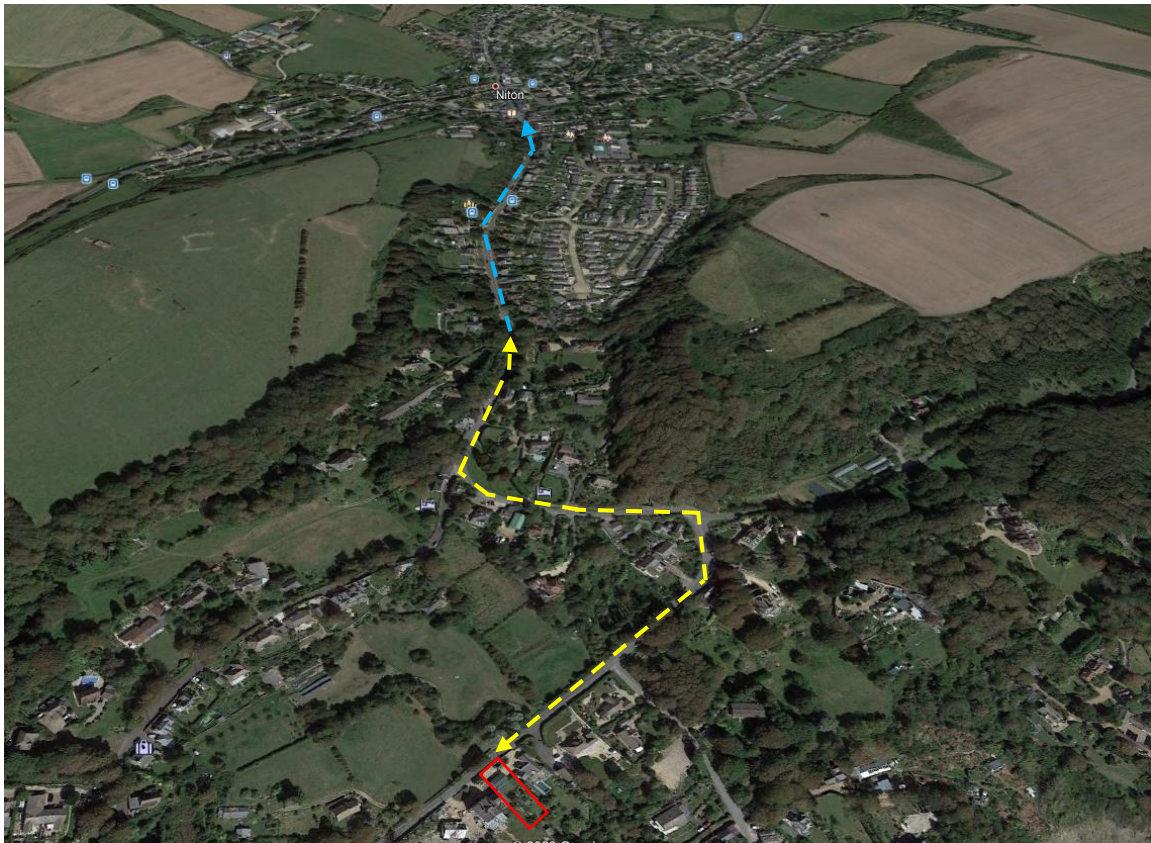


Image 28 – Aerial view showing the proximity of the site to Niton Village.

- 5.22 If we now relate the circumstances of the application site with the appeals summarised above we can draw the follow conclusions:-

- There is a safe, convenient and fairly short walking route into Niton village;
- A bus service operates nearby, actually going past the site including a bus stop within 200 metres of the site directly opposite the Buddle Inn public house;
- As such, there would be a degree of choice as to how future occupants might travel, which would reduce their reliance on the private car. This accords with Policy DM17 of the Island Plan Core Strategy, which states that the “*Council will support proposals that increase travel choice and provide alternative means of travel to the car.*”

- 5.23 Although the private car is likely to be the preferred mode of transport for many trips, the important point to note is that the site is well placed in relation to bus and walking

routes such that occupiers of the development will at least have the choice to make journeys via foot, bicycle or public transport. As reported in the Blackwater case, the overall the degree of resulting tangible adverse impact arising from the conflict with the development plan as a result of car use by one dwelling house in this location would be limited.

Housing Need

- 5.24 Because the site is outside of the defined settlement boundary, Policy SP1 states that the principle of new housing development will only be considered acceptable if it can be shown that a specific local need would be met by the development. However, the Council has recently stated in numerous cases that *'it is not necessary for the applicant to demonstrate a need, as policy SP1 could be considered out of date.'*
- 5.25 That said, to ensure that the proposal performs the 'social role' associated with sustainable development it must be demonstrated that it would meet the needs of present and future generations. As per the Blackwater case referred to above, there are social benefits associated with the occupants of an additional dwelling supporting local services, whilst two/three bedroom accommodation as proposed would match the greatest identified need within the Councils own Housing Needs Assessment referenced at Paragraph 4.3.3 above. Additionally, the development is likely to become a self-build plot as the applicant is looking to downsize from Seawynds into the proposed bungalow. Paragraph 61 of the NPPF offers general support for people wishing to commission or build their own homes.
- 5.26 As such, the proposal would fulfil a **social role** and also a general housing need, despite it not being strictly necessary to demonstrate a specific need as required by the outdated Policy SP1.

Presumption in Favour of Sustainable Development

- 5.27 Development of this nature can be said to support the local **economy** in a number of ways. For example, the initial construction phase will provide job opportunities for local trades and support the local supply chain. Upon completion, occupiers of the proposed dwelling will rely upon and support local services, amenities and businesses. As such, although the contribution of the development to the local economy will be fairly modest, the construction and subsequent occupation of the dwelling does clearly offer an opportunity to generate spend that can be of benefit locally especially within the village of Niton.
- 5.28 In summary, it has been identified above that the proposed dwelling would perform **social** and **economic roles** and, whilst it is probable that there would be some use of the private car, the additional carbon emissions arising from the site's position outside of the settlement boundary are unlikely to be significant and therefore the impact on the **environment** would be minimal. The development can therefore be said to constitute sustainable development, so unless significant and demonstrable harm can be identified in other respects then Paragraph 11 of the NPPF directs that permission should be granted.

Impact on the Character and Appearance of the Surrounding Area

5.29 Policy DM2 supports high quality and inclusive design to protect, conserve and enhance our existing environment whilst allowing change to take place. Similarly, DM12 seeks to conserve, enhance and promote our natural environment including the landscape and seascape characteristics that contribute to the significance of the designated AONB.

5.30 The proposed dwelling would be situated within an established residential side garden and would not intrude into agricultural land or open countryside. A High Court decision (Dartford Borough Council v Secretary of State for Communities & Local Government) has held that residential garden land, outside “built-up areas” (such as the proposed site) is “brownfield” land and not, as had widely been understood, “greenfield” land. This factor increases the priority of such land for development. Paragraph 111 NPPF states:-

“Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.”

5.31 In both the Cherry Tree Cottage and 316 Fairlee Road appeals described above the respective Inspectors agreed that the residential gardens in those cases constituted previously developed land and thus afforded that factor relevant weight as part of the overall planning balance.

5.32 The character of the area consists of groups of dwellings interspersed with fields and other open areas, with this side of St. Catherine's Road in particular having a fairly strong built-up frontage of which the site in question is arguably a suitable gap to accommodate what is commonly known as infill development. The immediate locality has a charm that is semi-rural in nature enhanced by the eclectic mix of property types, including the presence of the neighbouring St. Catherine's House, and by the pale grey natural stone walls which flank this side of the highway across the frontage of the site. Seawynds is part of an area that contains a number of residences between Castlehaven Lane and St. Catherine's Road. Although the properties along this immediate section of the road are quite widely spaced, they do nevertheless form a coherent grouping and the proposed bungalow would integrate into this quite seamlessly. Although the application site is on a level plateau, the surrounding area to the south is typified by a series of terraces that drop down to Castlehaven Lane, the coastline and St. Catherine's Point. These terraces and the general topography make it difficult, if not impossible, to see the application site from the south.

5.33 The site in question already contains a garage positioned side-on to the road. The garage is finished with natural timber cladding. The proposed bungalow would sit over the footprint of the garage, but would be further away from both the front (highway) and side (western) boundaries. The position of the proposed dwelling sits fairly centrally to the closest parts of both adjoining dwellings and its height/scale would be

modest and make a careful transition between Seawyndyds to the east and the more imposing status of St. Catherine's House to the west.

- 5.34 Given the variety of property types and styles within the locality it is not considered necessary to slavishly follow a particular design theme. We have opted for a low property with an irregular shaped footprint optimising the orientation of the plot. The internal layout works very well around the resulting courtyard feature. The appearance is fairly simple, but through the use of quality materials, including timber cladding that will be allowed to weather naturally, in combination with subtle attention to detail it is our assertion that the bungalow would make a 'quiet' yet positive addition to this built-up frontage. It would not appear dominant, cramped or visually obtrusive.



Images 29 & 30 – Proposed visualisations.

- 5.35 Although the site is within the AONB and, by definition, recognised for its scenic beauty, the development of a modestly designed bungalow on the basis of being 'infill',

i.e. a gap within an otherwise built-up frontage, would not harm the intrinsic landscape qualities associated with the wider interests of the AONB status. The design seeks to capitalise on far reaching views, but by the same token the elevations do not go too heavy on glazing to the extent that the bungalow would materially add to artificial light levels during the hours of darkness. As such, the dark skies initiative would not be compromised by this scheme.

- 5.36 Finally and as mentioned above at paragraph 2.8 permission has historically been granted for a detached dwelling on this very plot. The Inspector, who ultimately allowed the appeal, stated that the main issue at hand was “*the likely effect that a dwelling would have on the character of the local scenery which forms part of the AONB.*” He concluded by saying that “*although the site is in the countryside it is in a thin group of houses and the scheme could relate well to the pattern of development around.*” The scheme was found acceptable, permission was granted but never implemented. However, the important point to note is that circumstances on the ground have not changed. The purpose of the AONB designation is the same. Therefore, if the scheme was found to be acceptable historically then there is no reason in fundamental terms why the same conclusion cannot be reached today.
- 5.37 Accordingly, it is asserted the proposal would not cause harm to the character or appearance of the area and would complement the immediate built form. It follows that there would be no conflict with policy DM2 of the Island Plan which generally supports proposals for high quality and inclusive design that would protect, conserve and enhance the existing environment whilst allowing change to take place.

Impact on Neighbouring Amenity

- 5.38 Policy DM2 states that development should optimise the full potential of land but have regard to certain constraints including adjoining buildings. The applicant has consulted the owners of St. Catherine’s House and has been eager to accommodate their wishes.
- 5.39 The following site plan confirms that the proposed single storey dwelling would not extend any further backwards than St. Catherine’s House. The minimum separation distance would be 4m for a very small part (purple arrows), increasing to 4.7 metres (orange arrows) and then 10.8 metres (blue arrows) between the proposed dwelling and the sun room on the back of St. Catherine’s:-

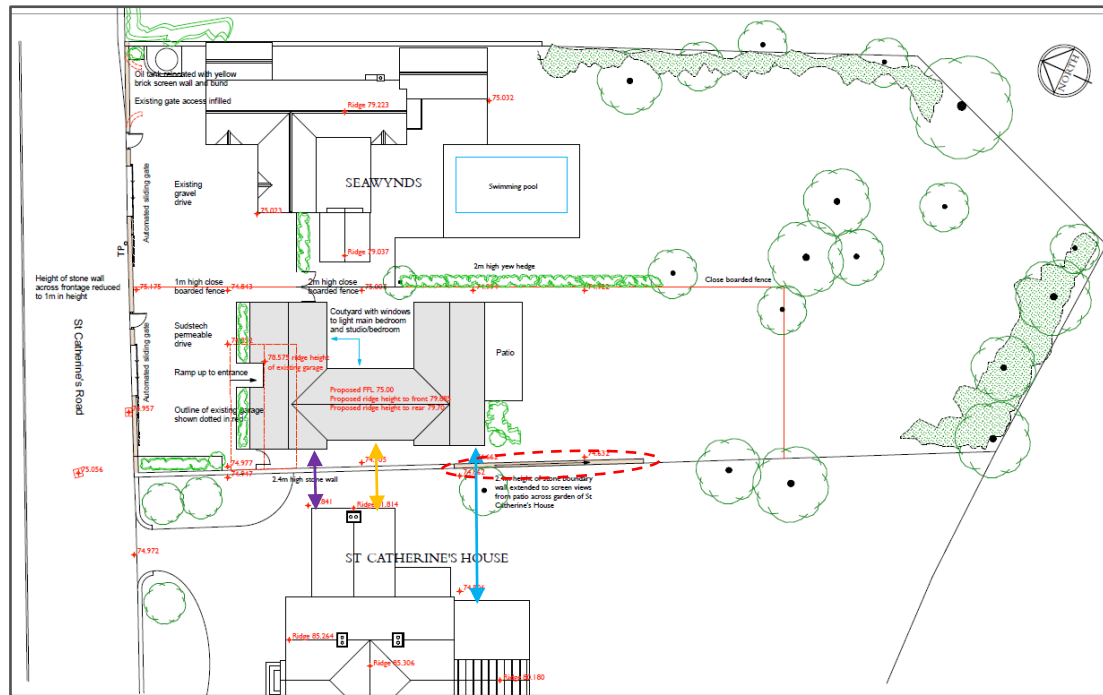


Image 31 – Proposed site plan.

- 5.40 It is also proposed to increase the height of the stone wall to 2.4 metres high along part of the common boundary as shown by the stretched red broken circle above. This has also been shown on the following photograph. This would strengthen the sense of enclosure for the neighbours and for the proposed dwelling.



Image 32 – Photograph looking towards the common boundary (west) shared with St. Catherine's House.

- 5.41 Given the modest nature of the proposed dwelling and its limited height to both eaves and ridge it is not felt that it would be overbearing or detrimental to the privacy of neighbours. As such, the proposal is compliant with Policy DM2 in this regard.

Highway Safety

- 5.42 We have fully engaged with Island Roads as the proposal seeks to remodel two existing vehicle access points. St Catherine's Road is an unclassified public highway governed by a 30mph speed limit at the point in question. This requires that vehicular access points achieve visibility splays of $X = 2.0\text{m}$ by $Y = 43.0\text{m}$.
- 5.43 We have plotted the existing access arrangement and available vision splays on a site plan, where it is confirmed that neither existing access is able to achieve the required splay. Indeed, the western access is very limited in both directions whilst the eastern access is limited in an easterly direction.
- 5.44 The proposed access changes would make the remodelled access serving Seawynds completely compliant, whilst the access serving the proposed dwelling would be fully compliant in an easterly direction whilst offering substantial betterment to the west. As such, the proposed access improvements would greatly outweigh the marginal deficiency looking to the west from the proposed dwelling.
- 5.45 Otherwise, the proposed scheme is fully compliant in relation to parking and turning, whilst Island Roads have confirmed no objection in relation to the proposed sliding gates.

Ground Stability

- 5.46 Paragraph 170 of the NPPF states that planning decisions should contribute to the natural environment by preventing new development from contributing to, or being adversely affected by, unacceptable levels of land instability.
- 5.47 The application site is located in an area of known ground movements on the ancient landslip known as the Undercliff. Significant investigation and investment has taken place in the area in recent times culminating in the provision of a coastal protection scheme and a ground dewatering system. To date, these schemes have been successful in arresting mudsliding and ground movements along the coast, to the south of the site. Based on the current predicted rate of coastal erosion, even with no further intervention, the site should not be at risk from coastal erosion for in excess of 200 years.
- 5.48 The sites immediately to the east and west have been built on for a considerable length of time. A cursory inspection of the properties did not reveal any signs to indicate they had been subject to foundation movement.
- 5.49 The proposed dwelling will be a single storey structure constructed from lightweight building materials. The load imposed on the site as a result of the development will be minimal and is unlikely to affect the overall stability of the area. The foundations will be reinforced concrete footings which will be suitably reinforced to resist minor ground movements.

- 5.50 Having studied the available documentation relating to the area and having carried out a reconnaissance of the site, there appears to be no obvious overriding factors which should preclude development of this site on grounds of general stability. The application is accompanied by a report by Cowan Consultancy Ltd.

Other matters

- 5.51 The applicant will enter into a Unilateral Undertaking to secure a future financial contribution towards the delivery of Affordable Housing (3% of (end value - £100,000)) prior to occupation of the dwelling.

6.0 HERITAGE STATEMENT

Legislative Framework

- 6.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on Local Planning Authorities (LPAs) to have special regard to the desirability of preserving a listed building or its setting, or any features of special architectural or historic interest it possesses.

Identification of Heritage Asset(s)

- 6.2 The neighbouring property, St. Catherine's House, is a Designated Heritage Asset owing to its listed status and hence the preparation of this Heritage Statement. It became a Grade II Listed Building on 22 November 1993. The statutory listing description obtained from Historic England describes the property as follows:-

Details

NITON AND WHITWELL

SZ57NW ST CATHERINE'S TERRACE 1353-0/6/235 St Catherine's House

II

House. Mid C19 in Gothic style. Built of ashlar with slate roof and yellow brick chimneystacks. 2 storeys and attics: 2 windows 1 blank. 2 large gables with fretted wooden bargeboards and spike finials. 2nd floor has two 9 pane sashes, 1st floor has two 12 pane sashes and central blank. Ground floor has two 16 pane sashes and a central doorcase with open pediment, engaged columns with waterleaf capitals, arched doorcase with hood moulding and 6 panelled door. 2 storey 2 bay extension to left in matching style.

Listing NGR: SZ5045075776

Image 33 – Statutory Listing.

- 6.3 We have also obtained a copy of the entry from the Historic Environment Record (HER) that is maintained by the Isle of Wight Council. That is attached to this statement as Appendix 1, but it is fairly brief and mainly repeats the statutory listing included above.
- 6.4 From the above information, we confirm that the Heritage Asset to be considered within the scope of this planning application is as follows:
- The historic and architectural character of the neighbouring listed building, St. Catherine's House, and its setting.
- 6.5 The impact of the proposed development on the above identified Heritage Asset will be analysed below.

Evaluation of the potential impacts upon the setting of St. Catherine's House as a Grade II Listed Building

- 6.6 The heritage interest in St. Catherine's House relates to its age, composition, materials and general appearance. Its surrounding landscape setting, including sprawling and partially walled gardens, provides for a pleasant and spacious natural environment with special emphasis on its interaction with expansive views towards the coastline.
- 6.7 St Catherine's House is located behind a stone wall with two entrances and a gravel drive laid to the front of the property. The building is a tall, dominant building in the street scene and comprises of a ground and first floor with attic rooms in the roof. The walls are of natural stone under a slate roof. There is also a basement under part of the ground floor. There is a cottage attached to the eastern side of the main house, a sun room off the rear elevation and a new home office/garden room to the rear. There is a large recently constructed oak framed garage/open sided car barn on the western side of the property. This was approved under reference P/01288/18 in February 2019.
- 6.8 The following photographs focus on St. Catherine's House, its new detached timber frame garage to the right and the lowering of the roadside boundary stone wall thus affording motorists good visibility along St. Catherine's Road.





Images 34 to 36 – St. Catherine's House.

6.9 The following photographs show the application site, including the applicants existing garage, within the context of St. Catherine's House:-



Image 37 – Looking across the frontage of the application site towards St. Catherine's House.



Image 38 - Looking across the frontage of St. Catherine's House towards the application site.

6.10 The following visualisations relate fairly well to the photographs inserted above:-



Image 39 – Visualisation looking across the frontage of the application site towards St. Catherine's House.



Image 40 – Visualisation looking across the frontage of St. Catherine's House towards the application site.

- 6.11 I would suggest that the north (front) and west (side) elevations of the principal 2.5 storey part of St. Catherine's House are the most significant in terms of balance, proportion and the ordering of windows. The decorative fascia's to the front, rear and east facing gables are also significant.
- 6.12 The visualisations included above confirm that the development would not diminish the visual appreciation of St. Catherine's House owing to the limited height of the bungalow coupled with its separation distance of at least 4 metres at its closest point and 10.2 metres between the proposed bungalow and the front east corner of the main 2.5 storey section of St. Catherine's. When comparing the proposed bungalow with the applicants' current garage, it would be set further back from the highway boundary and also further away from the western boundary.
- 6.13 When comparing the photograph at Image 37 with the visualisation at Image 39 it is important to note that they have been taken from slightly different perspectives and

from different distances. The visualisation is slightly closer to St. Catherine's House. The important point to note is that the ridge height of the proposed bungalow is only 1.3 metres higher than the existing garage to be removed, but most notably the proposed ridge height is almost 2 metres lower than the apex of the two storey cottage element on the east side of St. Catherine's House meaning that its east facing decorative fascia would remain in full view when approaching the listed building across the front of Seawynds.

- 6.14 As such, given the assessment provided above, we can confirm that special regard has been given to the desirability of preserving the listed building and its setting meaning that the development passes the statutory test laid down under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.0 CONCLUSIONS AND PLANNING BALANCE

- 7.1 It is a requirement of the National Planning Policy Framework that the presumption in favour of sustainable development is engaged. This means that permission should be granted for the proposed dwelling unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.2 There is technical conflict with adopted Policy SP1 by virtue of being outside of the defined settlement boundary. However, the approach of basing decisions on the whereabouts of a settlement boundary is out of date, with the National Planning Policy Framework instead relying on policies that seek to avoid 'isolated' homes. This is most certainly not an isolated rural site given the proximity of the site to other buildings.
- 7.3 Furthermore, combining the modest scale of the proposal, which is unlikely to seriously undermine the Councils spatial strategy, with the degree of choice as to the alternative modes of transport available to future occupants of the dwelling, overall the degree of resulting tangible adverse impact arising from the conflict with Policy SP1 would be limited.
- 7.4 The principal benefit of the proposal would be the provision of an additional dwelling to the housing supply where there is unmet demand. Development of this nature can be said to support the local economy in a number of ways. For example, the initial construction phase will provide job opportunities for local trades and support the local supply chain, whilst post-occupation the owners of the property would support local services and business.
- 7.5 We have shown that the proposed dwelling would relate to an existing residential plot and would not compromise any inherent landscape qualities that the site, street scene or the wider AONB designation holds. In actual fact, the proposed dwelling would to all intents and purposes appear as an acceptable form of infill development, whilst the scale, design and appearance would nestle into the existing gap very comfortably and harmonise with the tone and texture of the prevailing natural stone walls.
- 7.6 We have consulted with the Heritage Environment Record and National Listing pertaining to the neighbouring St. Catherine's House and have analysed the exterior

appearance and significance of that property very carefully. Consequently, we have concluded that the proposed modest dwelling would not result in any adverse impacts on the architectural and historic character of the listed building or its setting. Also, given the limited height, spacious layout and altered common boundary it is not considered that the development would harm the amenities and privacy of neighbours.

- 7.7 We have considered ground conditions and commissioned a specialist report, which concludes that the development would not be impacted by or result in ground instability.
- 7.8 It is therefore the case that any limited adverse impacts of the development would not significantly and demonstrably outweigh the benefits when assessed against the policies of the National Planning Policy Framework taken as a whole. Therefore, the presumption in favour of the development applies in relation to the circumstances of this case meaning that permission should be granted.