



Appeal Decision

Site visit made on 15 July 2019

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 09 August 2019

Appeal Ref: APP/C1760/W/19/3223478

Hook Wood, Hook Road, Ampfield, Hampshire, SO51 9BY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Adrian English of English Developments Ltd against the decision of Test Valley Borough Council.
 - The application Ref 18/02813/FULLS, dated 25 October 2018, was refused by notice dated 20 December 2018.
 - The development proposed is single detached dwelling and attached car barn.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect on the character and appearance of the area, with particular regard to protected trees.

Reasons

3. The appeal site is located in an area that has a heavily wooded character. Gaps between buildings, undeveloped parcels of land and boundaries in the area are often occupied by dense bands of mature trees. Access roads are finished with gravel, which contribute to the wider area's scenic and verdant character.
4. The site itself is densely wooded. Owing to its depth and the height of individual trees the woodland is substantial, and provides a rich backdrop to the existing dwellings fronting Woodlea Way. Evidence suggests that the existing trees are not part of an ancient woodland but may well have developed from a lapsed parkland or garden landscape. Nevertheless, the woodland contributes significantly to the character and appearance of the area.
5. A substantial block of trees would be retained at the western end of the site, and this would be fenced off from the rest of the plot so that it could be managed as a woodland independent of the residential curtilage associated with the proposed dwelling. However, trees that currently occupy the site area that falls behind Little Thatch and Woodsgift would be substantially reduced to boundary trees only, which would significantly reduce the deep wooded backdrop to the existing dwellings, as readily appreciated from the road.
6. I accept that many of the taller trees in this area are Silver Birch, which are nearing the end of their life, with some already in a state of decline. However, in their current condition, and positioned alongside other mature trees, they

still form part of a woodland that is highly valuable to the character and appearance of the area. Furthermore, amongst these trees are a significant number of other tree species, particularly Yew and Holly. Evidence submitted demonstrates that many of these are well formed and have future potential for growth. I accept that the modest size of these trees may mean that they do not currently contribute to the wider character of the area. However, the die back of some of the Silver Birch trees as they reach the end of their life would not necessarily result in the loss of areas of the woodland, but would rather allow other species with greater longevity to develop and other self-seeded trees to establish, facilitated by good woodland management.

7. In contrast, once given over to development, a large part of the plot would have a domestic character. It would be unlikely for future occupiers to plant further trees or leave self-seeded trees to establish in this area, as additional trees would be undesirable as they would further reduce daylight to the dwelling and its curtilage, which would be constrained from the outset by trees close to the north, east and south of the dwelling. The loss of the trees and with it a large part of the site's woodland character, and the prevention of any meaningful woodland reestablishment as a result of the development, would fundamentally change the character of the site and the contribution it makes to the area's woodland setting.
8. The appellant suggests that the proposal would create an opportunity to manage the remaining trees, taking into account the current difficulty accessing the site with a vehicle. Existing gates fronting Woodlea Way indicate that the site may have been accessible to vehicles in the past. However, I give this matter little weight as the site can be accessed easily on foot, and for the very occasional purposes of visiting the site for woodland management, the parking of a vehicle at the existing access would not cause an obstruction to other highway users.
9. In further support of the proposal the appellant refers to the distance between the proposed dwelling and the crown of the retained trees sufficient to avoid future pressures for further tree work, and the limited impact of the development on the root protection areas of the retained trees. However, such matters carry little weight in light of the harm I have found arising from the loss of the trees and the development of the plot.
10. Setting aside the tree matters, the proposed dwelling would be large and would have a complex form, however it would sit in a secluded position behind existing properties and would therefore not be prominent to view. Furthermore, it would occupy a footprint that would be similar to other dwellings in the area and would utilise similar forms. The area is not characterised by a particularly strong or consistent alignment of buildings fronting the roads. Some are set at an angle, while others are further forward than a neighbouring building. The proposed dwelling would be set behind the existing dwellings fronting Woodlea Way, which would accord with the siting of the large dwelling to the north and the rather loose arrangement of buildings on the far side of Hookwood Lane.
11. However, in summary, taking into account my overall findings on this main issue, the proposal would have a harmful effect on the character and appearance of the area, contrary to Policies COM2, E1 and E2 of the Test Valley Borough Revised Local Plan DPD adopted 2016 (LP), which seeks to ensure that

development proposals integrate, respect and complement the character of the area and do not result in the loss of important local features such as trees.

Other Matters

12. The appeal site is within the buffer area of the New Forest Special Protection Area. The addition of a residential unit within this area would be likely to have a significant effect on the internationally important interests and features of this area, in combination with other plans and projects. In addition, Natural England advice submitted by the Council at a late stage of the appeal suggests that the addition of a residential unit within the Test Valley Borough has the potential to increase levels of nutrients entering the Solent and Southampton Water European Designated Sites, and is therefore likely to have a significant effect on the biodiversity interests for which they have been designated, in combination with other plans and projects. In accordance with Policy E5 of the LP, such development will not be permitted unless mitigation measures have been secured. However, as I am dismissing the appeal the likely significant effect will not occur and this matter does not therefore need to be considered further.
13. I note that the Council accepts the principle of new residential development in this area, and that additional boundary planting would ensure that there would be no impact on the living conditions of the immediate neighbours to the south. However, these matters are neutral, and do not therefore weigh in favour of the proposal.
14. The appellant has referred to two recent decisions made by the Council in relation to the land to the north of the appeal site. Full details of these cases, including site plans, have not been provided, and the appellant has provided no comments in relation to these recent decisions. From the limited information submitted I cannot conclude that they have any bearing on the proposal before me, and I have therefore not taken them into account in reaching my decision.

Conclusion

15. For the reasons above, the appeal should be dismissed.

Andrew Tucker

INSPECTOR