
Appeal Decision

Site visit made on 5 November 2019

by L McKay MA MRTPI

Inspector appointed by the Secretary of State

Decision date: 12th November 2019.

Appeal Ref: APP/B9506/D/19/3235002
Sturtmoor, New Road, Landford SP5 2AZ

- 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 Peter Taylor against the decision of New Forest National Park Authority.
 - The application Ref 19/00247, dated 20 March 2019, was refused by notice dated 17 May 2019.
 - The development proposed is described as "Retrospective application for the erection of black metal site entrance gates and fence with brick pier".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my site visit, I saw that the development had been completed. Therefore, I have determined the appeal on the basis that the development has already occurred.
3. Since the Authority issued its decision it has adopted the New Forest National Park Local Plan 2016-2039 (LP). The policies listed in the decision notice have been superseded and the Authority has provided me with the relevant policies from the new LP. The parties have had the opportunity to comment on the implications of this change to their respective cases. I have dealt with the appeal on this basis.

Main Issue

4. This is the impact of the proposed development on the character and appearance of the area and the landscape and scenic beauty of the New Forest National Park.

Reasons

5. Paragraph 172 of the National Planning Policy Framework (the Framework) requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Parks. New Road has predominantly detached houses on the southern side with fields and woodland on the northern side. Residential frontages consist mainly of hedges with gateways set back some distance into plots. The abundance of trees and hedges give the area around the appeal site a rural and verdant character.

6. Although dark in colour and set back from the road, the railings are clearly visible from the road and create a hard edge to the access. The gates are set back from the road on lower ground and are shaded by trees, but nevertheless their height, shape and substantial brick piers draw the eye. The ornate, decorative design of both the railings and gates mean they stand out as an anomaly in this rural street scene. This impact is compounded by the gold lettering on the railings. The overall appearance is of a suburban form of development, which erodes the rural character of this part of the National Park.
7. When illuminated, the lights in the brick piers would be clearly visible from the road. Even with a relatively low wattage and sensor operated, the illumination would be conspicuous in this location where there are no street lights or other forms of artificial lighting along the road. This would add to the suburban appearance of the development and erode the darkness and tranquillity of this rural area.
8. The existing Laurel hedging does not provide effective screening of the railings. While it would be more effective in time, in the short term the railings remain visible. Furthermore, the use of Laurel does not enhance the rural character of the area. The appellants have suggested that additional planting could be undertaken, however there is no scheme before me to consider. In any event, planting would not screen the gates or lights from view. As such, the harmful impact of the development could not be addressed by planning conditions to secure further landscaping.
9. The appellant has directed me to 9 other properties in the area with tall gates and boundary treatments of various designs. Although the appellant says that some are recent developments, I have no details about the process by which they were considered. In any event, they are examples of suburban type development which local policies and guidance seek to avoid. As such, the appeal scheme adds to their harmful, suburbanising effect on this part of the National Park.
10. Consequently, the development harms the character and appearance of the area and the landscape and scenic beauty of the New Forest National Park. It therefore conflicts with Policies DP2 and DP18 of the LP which, amongst other things, seek to ensure new development is of the highest standard of design and would not result in unacceptable adverse impacts, including light pollution; and that boundary treatments are appropriate to the site and its setting. It also conflicts with Policy SP15 of the LP, which seeks to reduce the impacts of light pollution on the dark skies of the National Park; and Policy SP17, which does not permit built development which would result in a gradual suburbanising effect within the National Park.
11. I also find that the development conflicts with the provisions of the Design Guide Supplementary Planning Document 2011 which seek to achieve rural enhancement by, amongst other things, retaining and strengthening the characteristics of rural lanes with native species hedgerows, verges and traditional five-bar gates; replacing urban boundaries with traditional solutions; and avoiding high impact security lighting. Furthermore, I find conflict with the Landford Village Design Statement which seeks to keep external lighting to a minimum; use mixed, native species hedgerows; and create simple, rural style entrances. Although these documents pre-date the new Local Plan, nonetheless

they are consistent with the new policies in respect of the issues raised in this appeal and I therefore give them significant weight.

Other matters

12. The appellant has suggested that the scheme could be amended to remove the lettering, change the appearance of the piers, remove or reposition the lighting and reduce the height to within permitted development limits¹. The Procedural Guide: Planning appeals – England makes it clear that the appeal process should not be used to evolve a scheme and that it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought². The appeal scheme has therefore been considered on its own merits.
13. The appellant seeks to create a safe and secure environment for their property and also suggests that setting the gates back from the road allows vehicles to pull clear of the highway on a dangerous section of road. I am not convinced however, that these issues could not be resolved by an alternative scheme without the harm that I have identified. I also note the lack of objection from immediate neighbours. These do not however justify the harm that I have identified to the character and appearance of the area and the National Park.

Conclusion

14. For the reasons given above, the appeal is dismissed.

L McKay

INSPECTOR

¹ Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

² Paragraph M.2.1