



Appeal Decision

Site visit made on 21 November 2023

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th December 2023

Appeal Ref: APP/H1705/W/23/3316716

Land at Swing Swang Lane, Old Basing RG24 7AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement, or approval to details required by a condition of a planning permission.
 - The appeal is made by Redrow Homes Ltd against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 22/00176/CONDN, dated 24 January 2022, sought approval of details pursuant to conditions Nos 9, 11, and 12 of an approval Ref 20/03587/RES, granted on 01 December 2021.
 - In respect of condition 12, the application was refused by notice dated 30 November 2022.
 - The development proposed is Outline application including means of access for residential development of up to 100 dwellings.
 - The details for which approval is sought are: entrance feature either side of the access adjacent to plots 5 and 91.
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Decision

1. The appeal is allowed and the details submitted pursuant to condition 12 attached to approval Ref 20/03587/RES granted on 1 December 2021, in accordance with the application Ref 22/00176/CONDN dated 24 January 2022, and the plan submitted with it, are approved.

Preliminary Matters

2. Outline and reserved matters applications for residential development of up to 100 dwellings on land at Swing Swang Lane have been conditionally approved by the Council. Condition 12 of the reserved matters approval (condition 12), requires that details of the entrance feature either side of the access adjacent to plots 5 and 91, be submitted to and agreed upon by the Council within 3 months of the commencement of the development.
3. Based on the evidence, the application subject of this appeal was submitted within 3 months of the commencement of the development. However, the submitted details were subsequently determined by the Council to not be acceptable. Although the Council's determination was made later than 3 months from the commencement of the development, the appellant has the right to appeal the Council's decision.
4. As such, and notwithstanding the content of section 5 of the application form, the formal decision in this appeal is made in respect of the details submitted pursuant to condition 12. The main parties have indicated they do not object to the appeal proceeding in this manner.

5. Pertaining to condition 12, I continue on the basis that drawing number 783-DET-001 was the relevant plan upon which the Council's decision was made.
6. In so far as they relate to condition 12, both main parties agree that the details subject of the application have been completed. This correlates with my observations on-site, and I have considered the appeal on that basis.

Background and Main Issue

7. This appeal follows the refusal by the Council to approve details required by condition attached to an approval.
8. Consequently, the main issue is the effect of the submitted details on the character and appearance of the area and biodiversity, and whether, in respect of these matters, the details comply with the requirements of condition 12.

Reasons

9. Shrubs, trees, and hedgerows along the Basing Road site boundary interrupt views of built development within the appeal site, from locations along Basing Road (the road). Notwithstanding this, those parts of the development that have been completed, and those that are still under construction, are clearly visible from the road when passing the site. The character and appearance of the area are therefore informed by both the verdancy of the roadside trees, shrubs, and hedgerows, as well as by more formally laid out built development within it.
10. The rendered and brick-topped entrance feature walls subject of this appeal have been constructed on either side of a vehicular and pedestrian access into the appeal site. The materials used in these walls are of similar appearance and colours to those found in the nearest houses within the site. Although the walls have been constructed closer to Basing Road than the houses, there is a clear and strong visual link and pleasing connectivity between the houses, which form part of the established character and appearance of the area, and the considerably lower walls.
11. The planting to the front of the entrance feature walls has a more formal and ornamental appearance than the hedgerows and trees which are more prevalent alongside Basing Road close to the appeal site. Nevertheless, this planting successfully reflects the more formal planting found elsewhere within the appeal site, as well as softening and enhancing the appearance of the walls.
12. There are pole-mounted streetlights along the stretch of the road passing the appeal site. Furthermore, approval has been given for a lighting column to be erected close to the walls subject of this appeal. Therefore, given both the existing and authorised lighting in the area, the targeted lighting of the 2 low-level name plaques on the entrance feature walls, is not unsympathetic to the established character or appearance of the area. Nor does it light an otherwise dark area of the site, which, from a biodiversity perspective, would be more sensitive to such lighting.
13. The entrance feature walls extend several metres along the site frontage. However, their location and length are very similar to that shown on both the approved reserved matters plans and the soft landscaping proposals plan which was appended to the approved biodiversity management plan. Furthermore,

the walls generally follow the line of the roadside hedges; they are not excessively long or tall; and there is an adjacent, albeit non-native, planting alongside the wall which may be used for shelter. For these reasons, the walls themselves do not harmfully disrupt habitat corridors alongside Basing Road, or harmfully restrict the movement or activity of those species that have been found to use the area or the nearby Basing Fen Site of Importance for Nature Conservation.

14. For the reasons given above, the entrance features either side of the access adjacent to plots 5 and 91 do not harm the character and appearance of the area or biodiversity. In respect of these matters, the details comply with the requirements of condition 12. Consequently, and in respect of this main issue, the details accord with policies EM1, EM4, and EM10 of the Basingstoke and Deane, Basingstoke and Deane Local Plan (2011 to 2029) dated 2016, and policy OB&L 7 of the Old Basing & Lychpit Neighbourhood Plan 2015-2029 dated 2018. Amongst other things, these policies seek to ensure high-quality development that it is sympathetic to the character and visual quality of the area, with particular regard to landscape features and their function as ecological networks. They also require development to positively contribute to local distinctiveness; to avoid significant harm to biodiversity; and, to cause no harm to the conservation status of key species.

Conclusion

15. For the reasons given and having regard to the development plan as a whole and any other relevant material considerations, I conclude that this appeal should be allowed, and the details submitted pursuant to condition 12 be approved.

V Simpson

INSPECTOR

