



Appeal Decision

Site visit made on 10 April 2024

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2024

Appeal Ref: APP/W0340/W/23/3324089

Lake House, West Woodhay, Newbury RG20 0BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr C Brown against the decision of West Berkshire District Council.
 - The application Ref is 22/02459/FUL.
 - The development proposed is installation of gate and associated fencing.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, including the National Landscape of the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal site is in a rural location and within the National Landscape of the North Wessex Downs AONB. The National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, among other designated areas, which have the highest status of protection in relation to these issues.
4. The site lies within the character area WH1: Inkpen Woodland and Heathland Mosaic, of the West Berkshire Landscape Character Assessment 2019 (the LCA). This describes the area's key characteristics as including an intimate small scale rural character and a tight network of rural lanes, with small hamlets, farms and studs dispersed throughout the area. These attributes similarly form a part of the landscape character and scenic beauty of the AONB. The LCA identifies one of the detractors for this area as the suburbanisation of roads, which damages the character of the winding lanes. The landscape strategy contained in the LCA refers to the need to conserve the existing character of rural lanes and minimise road improvements that may degrade the rural quality of the area.
5. The Lane on which the affected access sits is narrow and enclosed largely by tall hedgerows and mature trees. There are a number of existing accesses on the north eastern side of the Lane where timber gates of traditional appearance give visibility to the open grassland behind. The existing access which is the subject of this appeal shares these characteristics, with an additional lightweight wooden frame with wire fencing attached behind. A residential

access exists opposite the site of the appeal, which similarly comprises a wooden five-bar gate set among tall planting.

6. The proposal would introduce closeboard gates 1.8m in height and with taller gate posts, which are not characteristic of this rural location and would prevent visibility through. While the gate is intended to be a similar height to the surrounding hedgerow, it would be set substantially behind it rather than appearing as a part of it. Together, the design and substantial set back of the gates into the site would accentuate their contrast with the rural character of the lane. The visual effects of the CCTV and intercom system would be very limited given their scale, however, they would nonetheless contribute to the suburban appearance of the access.
7. The visual effects of the proposal would be limited to very localised views from the Lane itself, in particular to users travelling south. Nonetheless, the proposal would be at odds with the established rural character and dilute the attributes of the landscape character acknowledged by the LCA. While affecting only a small area of the wider AONB, the proposal would not conserve and enhance its landscape character or scenic beauty.
8. The proposal would conflict with policies ADPP5, CS14 and CS19 of the CS¹ which together require development to conserve and enhance the local distinctiveness of the AONB and be of a design which respects local character. There would be conflict with the objectives of the LCA as set out above, and with the Framework insofar as it requires development to be sympathetic to local character including landscape setting, as well as its objectives relating to AONBs. I do not find conflict with CS Policy ADPP1 or Policy C1 of the HSA² which relate to the location of new homes.
9. The proposal would give increased security into the site, would allow vehicles entering the site to wait off the carriageway, and would facilitate the separation of residential and agricultural traffic associated with the wider site. However, in the absence of further information relating to these benefits and why the proposal would be necessary for their delivery, I ascribe them little weight. As such they would not outweigh the conflict found with the development plan.

Other Matters

10. The Council's second reason for refusal refers to the track located behind the access in question. Those works do not form a part of the description of development sought by the appellant and do not lie within the red line boundary of the appeal site. For these reasons I have not considered the associated track further.

Conclusion

11. The proposal would conflict with the development plan as a whole and there are no other considerations of sufficient weight which outweigh this finding. The appeal is therefore dismissed.

C Shearing

INSPECTOR

¹ West Berkshire Core Strategy 2006- 2026, adopted July 2012

² West Berkshire Housing Site Allocations DPD 2006- 2026, adopted May 2017