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## Appeal Decision

Site visit made on 16 July 2024

**by J J Evans BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2<sup>ND</sup> August 2024**

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**Appeal Ref: APP/B1740/D/24/3342891**

**Woodbine Cottage, Rockbourne, Hampshire SP6 3NH**

- 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 James Westwood-Beere against the decision of New Forest District Council.
  - The application reference is 23/11053.
  - The development proposed is "to close in the currently open driveway with yew hedging, and insert electrified hard wood swan neck gates.....placed in the old entrance,..... and then reinstate the garden in front of the garage with flower beds and grass."
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### Decision

1. The appeal is allowed and planning permission is granted to close in the currently open driveway with yew hedging, and insert electrified hard wood swan neck gates in the old entrance, and then reinstate the garden in front of the garage with flower beds and grass at Woodbine Cottage, Rockbourne, Hampshire SP6 3NH in accordance with the terms of the application referenced 23/11053, and subject to the following conditions:-
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the drawings entitled Aerial photo – explanation of works, Block plan, drawing no. 2500-02, and Cleft Chestnut Gates.
  - 3) Prior to the erection of the gates hereby permitted, details of the gates at a scale of 1:10, including details of the materials, finish, and the spindles, shall be submitted to and approved in writing by the local planning authority. The gates shall be implemented in accordance with the approved details.

### Procedural Matters

2. The description above is taken from the original application, albeit I have omitted the phrases which address the purpose and merits of the development. This description is consistent with the development depicted within the submitted drawings. Consequently, the development as described in the original application has been used in the formal decision.

3. Woodbine Cottage is a grade II listed building within the Rockbourne Conservation Area. As required by Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.

### **Main Issue**

4. The main issue is the effect of the use of the proposed access on the safety of users of Rockbourne Road.

### **Reasons**

5. The appeal property is a detached house set back from the public highway behind a large, gravelled parking and turning area. To one side of this thatched roof brick walled cottage is a detached garage and store building. The existing access to the property is to the southern side of the plot, adjacent to that which serves Yonges Cottages.
6. The village has an essentially linear form, following the bottom of a valley, and there are numerous historic dwellings fronting the road. The front gardens of many of these houses are defined by hedgerows, as is the case with the appeal property and the neighbouring property to the north. Several of the houses have gated accesses, with a variety of styles of timber and metal gates present throughout the village. The road follows a gently curvaceous route, albeit there are no footways to either side with pedestrians having to walk within the carriageway.
7. The proposed gates would be in a similar place to a former vehicular access to the property that is now concealed by the evergreen hedgerow that grows along the front garden boundary. The gates would be set back from the public highway, and when exiting the property users of the access would have similar visibility to the south as occurs with the existing access. Whilst the hedges of the appeal property and those of the neighbouring house would restrict visibility to the north, the existing access also has compromised visibility in this direction not just because of the hedge and curvature of the road, but also due to the presence of the road sign. Speed is restricted to 30mph, and near the village hall the road narrows, and this, along with its curvature would mean that users of the highway would be proceeding cautiously when approaching the cottage. Furthermore, the set back of the gates along with the breadth of the access would combine to make any drivers exiting the property able to see approaching pedestrians and cyclists.
8. Within the village the proposed access would be one of numerous private accesses onto the road. Many of the properties nearby have front garden parking and some have accesses with very restricted visibility for drivers. There are also properties where there is no opportunity for vehicles to turn so as to enter and exit in forward gear. As the scheme would benefit from the provision of a turning space to allow drivers to go into and out of the property in forward gear, the relocation of the access would not significantly impact upon the safety of other users of the highway.
9. Given my findings, the repositioning of the access would not significantly impact upon the safety of other users of the road. The scheme would be safe

to access and easy to navigate, as required by Policy ENV3 of the New Forest District Local Plan Planning Strategy (2020), and would accord with objectives of the National Planning Policy Framework (the Framework) that require development to provide safe and suitable access for all users.

### **Other Matters**

10. The cottage is one of several houses within the village that are constructed of thatch and red brick walls. The use of local materials, along with its vernacular form and appearance, are part of the special architectural and historic interest of this listed building. This, and the relationship of the dwelling fronting the public highway is not only part of the significance of the listed building, but is also part of the distinctive character and appearance of the conservation area. Many of the dwellings have front gardens bounded by hedgerows, and this gives a mature, verdant setting to the road and the houses.
11. The removal of part of the existing gravelled parking and turning area and the creation of a garden along with the planting of additional hedges, would create a more sympathetic landscaped setting to the listed building. This landscaping would also maintain and enhance the character and appearance of the conservation area. The provision of the timber gates would allow views of the front of the house as well as reflecting a characteristic boundary treatment that is found throughout the village. As there are a variety of styles of gates within the village, that proposed would not appear conspicuously different in such a context. For these reasons the scheme would preserve the setting of the listed building and the character and appearance of the conservation area.
12. The appeal site lies within the Cranborne Chase and West Wiltshire Down National Landscape (NL) where there is a statutory duty to protect the landscape and its scenic beauty. As the access would be one of many gated accesses within the village, it would not significantly harm the wider landscape and scenic beauty of the NL as it would be seen as part of the built-up area as a whole.
13. Concern has been raised by local residents as regards the depicted boundaries. However, land ownership matters would be for the relevant parties to resolve and have not had a bearing on my assessment of the planning issues in this appeal.

### **Conditions**

14. The conditions suggested by the Council have been considered against paragraph 56 of the Framework. Where necessary and in the interests of clarity and precision they have been altered to better reflect these requirements.
15. The standard time condition has been imposed, as has one requiring the development to be carried out in accordance with the approved plans, so as to avoid doubt. The drawings of the gates have been described by the appellant as being for illustration purposes. Having regard to this, I have imposed a condition requiring details of the gates so as to ensure they preserve the setting of the listed building and the character and appearance of the conservation area.

**Conclusion**

16. Thus, for the reasons given above, and having considered all other matters raised, the appeal is allowed.

*J J Evans*

INSPECTOR