
Appeal Decision

Site visit made on 23 April 2025

by **S Rawle BA (Hons) Dip TP Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 2 June 2025

Appeal Ref: APP/W0340/W/24/3353497

Land West of West Lodge and South of Deanwood Farm, Stockcross, Newbury RG20 8JP

- 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 P Hunt of The Allan Snook Will Trust against the decision of West Berkshire District Council.
 - The application Ref is 24/00105/FUL.
 - The development proposed is a new access onto the B4000 from land at Deanwood.
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This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 12 May 2025.

Decision

1. The appeal is allowed and planning permission is granted for a new access onto the B4000 from land at Deanwood at Land West of West Lodge and South of Deanwood Farm, Stockcross, Newbury RG20 8JP in accordance with the terms of the application, Ref 24/00105/FUL, 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 drawing Nos. P1-01 Rev v2; 020.0797-0006 Rev P03; DTS020821-47D 1 of 2; and DTS020821-47D 2 of 2.
 - 3) The 2.4m by 160m visibility splays shown on drawing No. 020.0797-0005 Rev P03 included within the Highways Statement of Case prepared by Paul Basham Associates shall be free of any obstruction exceeding 0.6m in height and shall be retained as such thereafter.
 - 4) The development shall be undertaken in accordance with the recommendations contained within Section 5 – Impacts and Mitigation of the Preliminary Ecological Appraisal dated November 2021 prepared by Pro Vision and Drawing No 7864-XX-EO-01 V1 contained within Appendix A of the Technical Note dated 31 July 2024 prepared by Pro Vision.

Preliminary Matters

2. I have amended part of the address of the appeal site from that on the application form to that on the Council's decision notice as it provides a more definitive location.

Main Issues

3. The main issues are;

- The effect of the proposed development on highway safety; and
- Whether or not sufficient mitigation measures would be implemented to ensure that the proposal would not unacceptably harm biodiversity.

Reasons

Highway Safety

4. The appeal site is located on the northern side of the B4000 and although some interested parties have queried the existing use of the land, I am satisfied that it comprises an existing area of agricultural land.
5. The existing access to the land is shared with the adjacent Deanwood Park Golf Club and the proposal would allow a separate access to serve the appeal site. It is common ground between the main parties that the proposed access is acceptable with regard to width and visibility spays.
6. Moreover, a footway and cycleway have recently been completed across the frontage of the appeal site. Again, it is common ground between the main parties that the design of the proposed access across the footway and cycleway is acceptable.
7. The Council are concerned about the proliferation of accesses within this stretch of road. Although they acknowledge that this would not necessarily be a cause for concern, they highlight that since 2019 there have been two slight injury accidents along this section of road. To my mind, given the traffic flows and the speed of vehicles travelling along the B4000, two slight injury accidents does not suggest a significant highway safety concern.
8. Moreover, I consider that vehicles accessing the agricultural land and traffic accessing the golf club are incompatible and their separation would be beneficial in highway safety terms. Further, the appeal site is not intensely used and the introduction of the proposed access to serve the agricultural parcel of land would reduce the number of vehicles using the existing golf club access, albeit not significantly. Concern has been expressed about the future use of the appeal site. However, any change of use would need to obtain planning permission in the normal way which would need to be assessed on its particular merits. Consequently, possible future use of the land has not had a material bearing on the determination of this appeal.
9. Overall, although the proposal would result in an additional access point where there are already a number of existing access points, I am satisfied that the proposal would not result in unacceptable highway safety harm.
10. I therefore conclude that the proposed development would not cause unacceptable harm to highway safety. Consequently, the proposed development would not conflict with Policy CS13 of the West Berkshire Core Strategy 2006-2026 Development Plan Document adopted July 2012 (WBCSDPD) which among other things seeks to promote safe travel. Further, the proposal would accord with the guidance contained within the National Planning Policy Framework which sets out

that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.

Biodiversity

11. The proposal would result in the removal of part of an existing hedgerow that runs along the southern boundary of the appeal site. The appellant has undertaken a hedgerow assessment as part of a Preliminary Ecological Appraisal (PEA). I am satisfied that the assessment was undertaken by a suitably qualified person, and I have no reason to doubt the findings of this assessment.
12. In summary, the assessment found that the hedgerow consisted of a poor number of woody species and does not qualify as an important hedge under the Hedgerow Regulations 1997. However, it does qualify as a UK Biodiversity Action Plan (UKBAP) priority habitat as it is longer than 30 metres and is over 80% native species.
13. The Council are concerned that insufficient biodiversity enhancement information has been provided and no adequate mitigation or compensation has been submitted. However, I do not agree with that analysis. Section 5 of the PEA sets out the hedgerow lost will be replaced with native shrub and scrub species and sets out a detailed list of the species mix, including hawthorn, blackthorn, field maple, hazel, dogwood, guelder rose, spindle and holly.
14. Moreover, the ecological technical note in support of the appeal reiterated the findings of the PEA together with providing the proposed location of the replacement hedgerow which would join the existing hedgerow thereby increasing its length overall. Given that the plan showing the location of the replacement hedgerow on the appeal site was provided in support of the recommendation in the PEA that a replacement hedgerow should be provided, I am satisfied that no party would be prejudiced by me taking account of that plan in the determination of this appeal. Consequently, I am satisfied that sufficient biodiversity enhancement information has been provided and adequate mitigation in the form of replacement hedgerow would be achieved.
15. I therefore conclude that sufficient mitigation measures would be implemented to ensure that the proposal would not unacceptably harm biodiversity. Consequently, the proposal would accord with Policy CS17 of the WBCSDPD which among other things seeks to ensure that biodiversity assets across West Berkshire will be conserved and enhanced. Moreover, the proposal would not conflict with the Framework which among other things seeks to ensure that development minimises impacts on biodiversity and promotes the conservation, restoration and enhancement of priority habitats.

Conditions

16. I have had regard to the conditions suggested by the Council and the appellant and have amended them as necessary in the interests of precision and clarity, as well as to comply with advice in the Framework and Planning Practice Guidance (PPG).
17. A condition is needed to secure compliance with the approved plans for the avoidance of doubt and in the interests of proper planning. However, as the development is for an access which is shown in sufficient detail on the approved plans it is unnecessary to impose a further condition that relates to the provision of

access construction. However, in the interests of highway safety it is necessary to impose a condition in relation to visibility splays. In the interests of ecology and biodiversity, it is necessary to impose a condition to ensure any impacts are appropriately mitigated.

Conclusion

18. For the reasons given above the appeal should be allowed.

S Rawle

INSPECTOR