



Appeal Decision

Site visit made on 19 October 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 27 October 2020

Appeal Ref: APP/R0335/W/20/3255491

Brackworth, Broad Lane, Bracknell RG12 9BY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr M Goya of Brothers Housing Estate against the decision of Bracknell Forest Borough Council.
 - The application Ref 19/00900/FUL, dated 23 October 2019, was refused by notice dated 26 June 2020.
 - The application sought planning permission for erection of 6 x 2 bedroom and 2 x 1 bedroom dwelling units with associated parking, cycle shed, amenity space and bin store following demolition of existing dwelling (amendment to planning permission reference 15/00855/FUL) without complying with a condition attached to planning permission Ref 16/00230/FUL, dated 18 July 2016.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out only in accordance with the following approved plans and documents:
2014/02 Rev F Proposed Plans
2014/03 Rev D Proposed Plans.
 - The reason given for the condition is: to ensure that the development is carried out only as approved by the Local Planning Authority.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my visit a building at the site was nearing completion. The building that has been erected differs significantly from the plans before me in terms of overall form, materials and detailing. Therefore, I have had limited regard to the building I saw at the site in my determination of the appeal.

Main Issue

3. The effect on the character and appearance of the area.

Reasons

4. The appeal site is located in a residential area of mixed character, fronting a busy road. The approved plans show that the building would have an ordered arrangement of openings across the principal elevations, with windows of an even size and a consistent vertical alignment between ground and first floor. The length of the principal elevation fronting the road would be broken by three

roof projections above the eaves which would lessen the building's broad scale. A lean-to section which would run across the heads of most of the ground floor windows would give a characterful depth to the building's front elevation.

5. Many of these elements are lost in the appeal proposal. Openings across the principal road facing elevation would have a fairly unplanned appearance. The eaves line of the building would be broken in one place rather than three. Although the proposed building would be no larger, the loss of the lean-to and the loss of two of the eaves projections would result in a building that would look bigger and bulkier. This is a negative change in the context of the much smaller scale of buildings close to the site, particularly those immediately west, which would cause some harm to the area's character.
6. The proposal introduces a number of dormer windows and rooflights. Whilst these have the potential to increase the prominence of the building they would be of a modest scale; appropriately subservient to the larger openings on the principal floors below and spaced out so that they would not be dominant. At my visit to the area I saw examples of prominent buildings with road facing dormers. In this context I am satisfied that the addition of the proposed roof openings would not be harmful to the character and appearance of the area.
7. A long thin building housing cycle and refuse storage along the west boundary would be extended and moved closer to the road. This would project significantly beyond the front elevation of the principal building. Although I accept that it has a modest form and it would sit alongside some existing and proposed vegetation, it would occupy a position forward of the building line which would be set by the block of flats and the neighbouring garage. It would be prominent to view, and as an ancillary service building would appear out of place in this forward position, to the extent that it would cause harm to the appearance of the streetscene.
8. It is suggested that the weight I give to Saved Policy EN20 of the Bracknell Forest Borough Local Plan 2002 (LP) and Policy CS7 of the Core Strategy Development Plan Document 2008 (CS) should be reduced as the Policies are old and are no longer fully consistent with national policy. However, the Policies and the Framework are consistent with regard to their significant emphasis on design quality that is sympathetic with local character. Therefore I am not satisfied that the Policies should be afforded reduced weight.
9. In summary, the proposal would harm the character and appearance of the area. This would be contrary to Saved Policy EN20 of the LP, Policy CS7 of the CS and paragraph 127 of the Framework, which together seek to ensure that development proposals are designed to a high quality and are sympathetic to local character.

Other Matters

10. The appeal site is to the west of The Thatched Cottage, which is a Grade II listed building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Although the listed building is close to the site it is difficult to view from the roads to the south and west owing to the well established vegetation

along its boundaries. It is visually contained within its curtilage in a manner that appears to be well established. On this basis I am satisfied that the proposed changes to the design of the building that are the subject of this appeal would not harm the setting of this listed building.

11. In support of the proposal it is suggested that it would deliver housing in a sustainable location to meet a local need. However, I am not satisfied that this is a matter that could weigh in favour of the appeal proposal, as the proposed variation to the design would not deliver additional housing.

Conclusion

12. For the reasons above, the appeal should be dismissed.

Andrew Tucker

INSPECTOR