



Appeal Decision

Site visit made on 5 January 2021 by Scott Britnell MSc FdA MRTPI

Decision by Zoe Raygen DIP URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 January 2021

Appeal Ref: APP/R0335/D/20/3260013 49 Drovers Way, Bracknell RG12 9EZ

- 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 & Mrs Milledge against the decision of Bracknell Forest Council.
 - The application Ref 20/00372/FUL/RFULZ, dated 18 May 2020, was refused by notice dated 17 August 2020.
 - The development proposed is a two storey front extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in this appeal are the effect of the proposal on:
 - The character and appearance of the host property and the wider area;
 - The living conditions of the occupants of No.50 Drovers Way, with particular regard to outlook and light, and;
 - Pedestrian and highway safety.

Reasons for the Recommendation

Character and appearance

4. The appeal site comprises an end of terrace property with a two storey gable end extension to the front. The streetscene has a generally open character and a mix of properties constructed from different coloured brick.
5. The proposed extension would cover almost the entire width of the front elevation and would have a hipped roof with its ridge sitting just below the main ridge line. It would, due to its scale, mass, form and height be an overly dominant, disproportionate and bulky addition to the property. Moreover, I concur with the Council in its application report that the hipped roof would be uncharacteristic in the context of the host property and the surrounding development where gabled elevations predominate.

6. Consequently, the proposal would compete visually with the host dwelling and would diminish the contribution that it makes to the terrace and wider area, while appearing as an incongruous and prominent addition within the streetscene. The proposed extension would, therefore, cause harm to the character and appearance of the host property and the wider area. In reaching this conclusion, I note that the existing extension has already affected the uniformed appearance of the terrace and that it is now part of the established streetscene. However, the proposal would, for the reasons I have set out, have a more significant and harmful effect.
7. I note the appellants' comments that the extension would be seen in the context of the buildings to the north east and north west of the appeal site. However, the appeal dwelling is separated physically and visually from these buildings and would be viewed in the immediate context of the host dwelling and terrace. I also note the appellants' comments with regards to Paragraph 126 of the National Planning Policy Framework (the Framework). However, the Framework must be read as a whole and Paragraph 124 states that good design is a key aspect of sustainable development. As such, a proposal that fails to demonstrate good design, as in this case, is not sustainable development.
8. I conclude that the proposal would cause harm to the character and appearance of the host property and the wider area. There would be conflict with Saved Policy EN20 of the Bracknell Forest Borough Local Plan January 2002 (LP) and Policy CS7 of the Core Strategy Development Plan Document Adopted February 2008 (CS). These policies state, among other things, that applications for planning permission must be appropriate in scale both in itself and in relation to adjoining buildings and that the Council will require high quality design for all development in Bracknell Forest. There would also be conflict with the Bracknell Forest Council Design Supplementary Planning Document March 2017 (SPD) which states that front extensions should maintain local character by being subordinate in scale so that they do not dominate the original building, and Section 12 of the Framework which seeks to achieve well-designed places.

Living conditions

9. The proposed extension would sit in close proximity to the front windows of No.50 Drovers Way (No.50). The Council suggests that it would project approximately 2 metres from the appeal dwelling while the appellants indicate that it would project by 1.8 metres. Nevertheless, even if I accept the appellant's measurement, given the proximity of the proposed extension to No.50 and its height, scale and mass, the proposal would appear unacceptably overbearing when viewed from the front windows. This would make the area served by the windows less pleasant to use, causing unacceptable harm to the living conditions of the occupants of that property.
10. As it would sit to the north of No.50, the proposed extension is unlikely to result in any significant loss of light or overshadowing to that property. I acknowledge the appellant's comment that some loss of sunlight would occur in the very late evening in the high summer months, however, this is unlikely to be significant. There are also no windows proposed in the side elevation of the extension so that the occupants of No.50 would suffer no loss of privacy.

However, the lack of harm in respect of these matters is a neutral factor in my assessment of the appeal proposal.

11. I conclude that the proposal would cause harm to the living conditions of the occupants of No.50. There would be conflict with Saved Policy EN20 of the LP, which requires, among other things, that applications for planning permission do not adversely affect the amenity of surrounding properties. There would also be conflict with the SPD which states that new development should not be unduly overbearing, and Paragraph 127f of the Framework that states that planning decisions should ensure that developments create places with a high standard of amenity for existing users.
12. The Council also refer to Policy CS7 of the CS. However, as this does not refer to the effect of development proposals on living conditions, I do not consider it to be directly relevant to this issue.

Pedestrian and Highway Safety

13. The proposed off-street parking space would sit parallel to the road in the space between the front of the appeal dwelling and the public highway, where there is limited space. It is unlikely, therefore, that a vehicle parked in this space would be able to open its doors due to the proximity to the front of the dwelling. It is also likely that the doors on the opposite side of a vehicle would open up over the pavement, increasing the potential for conflict with pedestrians and compromising pedestrian safety.
14. Moreover, vehicle users would be required to carry out a number of manoeuvres to access and exit the parking space, both on the highway and the pavement. In addition, while visibility of the appeal site is not restricted by boundary treatments (the hedge that the Council refer to had been removed by the time of my visit), I observed that the street was heavily parked. This would restrict visibility for users of the parking space and, as a result, the proposal would increase the opportunity for conflict with other road users, including cyclists and pedestrians, resulting in harm to pedestrian and highway safety.
15. In reaching this conclusion, I am aware that my observations represent a snapshot in time. However, there is nothing before me to indicate that the conditions I observed were not typical. Moreover, I consider that the proposal would be more harmful than the current situation, due to the manoeuvres that vehicle users would need to undertake and because vehicle doors are likely to open up over the pavement.
16. The appellants indicate that they would not use the proposed parking space in favour of on-street parking or a garage in a block to the rear of Drivers Way. However, I have to assess the proposal before me. It is also suggested that the parking space could be removed from the proposal by a suitably worded planning condition. This would materially alter the proposal and interested parties should be given the opportunity to comment upon such a change. Therefore, in the interests of fairness, it would not be reasonable to apply such a condition in this case. Moreover, if the appellants consider that parking on-street is preferable to using the existing parking space, they are free to pursue this course of action.
17. In the event that the parking space could not be used, the appellants' vehicle would be displaced on to the highway network. Although I observed the street

was heavily parked at the time of my visit, there is no compelling evidence before me that the additional demand for on-street parking for a single vehicle would, in itself, be detrimental to highway safety. In this limited regard the proposal would not harm highway safety. However, the lack of harm in this regard is a neutral factor in my assessment of the appeal proposal.

18. I also note that the number of bedrooms would not be increased at the property as a result of the proposal. However, the proposed parking space would be unacceptable for the reasons that I have identified.
19. I conclude that the proposal would cause harm to pedestrian and highway safety. There would be conflict with Saved Policy M9 of the LP and Policy CS23 of the CS. These state, among other things, that development will not be permitted unless satisfactory parking provision is made for vehicles and that the Council will use its powers to increase the safety of travel. There would also be conflict with paragraph 108b of the Framework, which states that in assessing specific applications for development it should be ensured that safe and suitable access to the site can be achieved for all users, and Paragraph 110c, which states that development should create places that are safe which minimise the scope for conflicts between pedestrians, cyclists and vehicles.
20. The Council also suggest that the proposal would conflict with the Bracknell Forest Council Parking Standards Supplementary Planning Document March 2016. However, no details of the nature of conflict with the standards has been provided. I am therefore unable to consider the proposal against them. The Council also refer to Paragraphs 102f and 108c of the Framework¹, although the Framework contains no Paragraph 102f. With regards to Paragraph 108c, the appellant has not shown that the impact on highway safety of the proposed development can be cost effectively mitigated to an acceptable degree.

Conclusion and Recommendation

21. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Zoe Raygen

INSPECTOR

¹ Page 8 of the Council's Report.