
Appeal Decision

Site visit made on 25 May 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2021

Appeal Ref: APP/R0335/W/20/3265162

45 King Edwards Road, Ascot, SL5 8NY

- 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 Ms Payne against the decision of Bracknell Forest Borough Council.
 - The application Ref 20/0021/FUL, dated 5 March 2020, was refused by notice dated 26 November 2020.
 - The development proposed is new build 2-bedroom dwelling within existing residential dwelling site curtilage and site division.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- the effect of the proposal on the character and appearance of the area and;
- the effect of the proposal on the Thames Basin Heaths Special Protection Area (SPA).

Reasons

Character and appearance

3. The appeal site is towards the edge of the town of Ascot. There is a backdrop of mature trees and the adjacent countryside is nearby.
4. King Edwards Road has footpaths on both sides and is a through route around an extensive residential area. The road has a curving alignment, and the houses are set back behind front gardens and trees. There are views along the road in both directions.
5. The appeal site is to the side and part of the garden to No 45. The site has a fence on the road frontage, above which there is an open aspect and the appeal site is prominent. No 45 is a small house and there is a blank side gable wall facing the appeal site.
6. The proposed house would be adjacent to the existing, which would create an expanse of buildings very close to the road and intensify the perception of development undermining the influence of the front gardens and trees. The

- proposal would be out of keeping with the streetscene and would erode the sense of openness.
7. The new house would also remove the gap between the house and the road. As such it would obstruct some of the view along the road, which is notable as the curving alignment allows the view to change as one travels along its length.
 8. I note the submitted examples of other newly built houses in the vicinity. Whilst I have not been provided with comprehensive details of their development and justification, I do not find that these have the same particular characteristics of this appeal site.
 9. I therefore conclude that the proposal would harm the character and appearance of the area.
 10. Saved policy EN20 of the Bracknell Forest Borough Local Plan (LP) requires development to be in sympathy with the appearance and character of the local environment and promotes a sense of local identity. Similarly, Policy CS7 of the Core Strategy (CS) supports development which builds on suburban local character and respects local patterns of development. Paragraphs 127 and 130 of the National Planning Policy Framework (the Framework) promote high quality design and response to local context. The proposal would be in conflict.

The effects on the Thames Basin Heaths SPA

11. The site lies within the zone of influence of the Thames Basin Heaths Special Protection Area. This area is noted for its ground nesting heathland bird population and is protected under the Conservation of Habitats and Species Regulations 2017.
12. Having regard to the evidence provided by the Council I consider that the development could, in combination with other development in the area, have a significant adverse effect on the Special Protection Area through added recreational pressure causing disturbance to the bird population. It is therefore necessary to assess whether the potential adverse impact could be adequately mitigated so as to avoid any significant adverse effect on the conservation objectives of the Special Protection Area.
13. The Council, in partnership with neighbouring councils and conservation bodies, including Natural England, has developed an approach to mitigation based on the provision of suitable alternative natural greenspace and a strategic access management and monitoring plan. Residential development between 400m and 5km from the Special Protection Area can mitigate its potential adverse impact by making a financial contribution towards these initiatives.
14. A unilateral undertaking has not been provided to make a financial contribution to the management plan. Consequently, there would not be suitable mitigation and as such the development would have a significant adverse effect on the Special Protection Area.
15. I conclude that the development would harm the Thames Basin Heaths Special Protection Area and would therefore conflict with Policy EN3 of the LP and Policy CS14 of the CS and saved Policy NRM6 of the South East Plan 2009, which seek to protect sites of nature conservation importance. It would also conflict with the Thames Basin Heaths Avoidance Strategy and Conservation of Habitats and Species Regulations for the reasons set out above.

Other matters

16. The new house would have social and economic benefits as the occupant(s) would support local services and the new house would add to the housing land supply. I also note the appellant's suggestion that the proposed house offers the opportunity for smaller accommodation, which would be particularly suited to elderly or physically challenged occupants. However, these would not outweigh the harm that I have found above.

Conclusion

17. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR