



Appeal Decision

Site visit made on 10 May 2022

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 1 June 2022

Appeal Ref: APP/R0335/W/21/3288129

12 Makepiece Road, Bracknell RG42 2HJ

- 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 Peter Nattriss against the decision of Bracknell Forest Borough Council.
 - The application Ref 21/00109/FUL, dated 3 February 2021, was refused by notice dated 15 September 2021.
 - The development proposed is described as 'New build 2 bedroom house with 1 off road parking space and rear garden'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice refers to a number of policies from the Draft Bracknell Town Neighbourhood Plan. However, the Bracknell Town Neighbourhood Plan 2016-2036 (2021) (BTNP) was made following the Council's decision on the original planning application and now forms a part of the statutory development plan. As such, these policies have been attributed full weight in my decision.
3. The appellant has submitted a Unilateral Undertaking (UU) with the appeal. It sets out offers of financial contributions towards Suitable Alternative Natural Greenspaces (SANG) and Strategic Access Management and Monitoring (SAMM) measures to avoid and mitigate against the effect on the Thames Basin Heaths Special Protection Area (TBHSPA). These are matters that I will return to later in this decision.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the character and appearance of the area.
 - The effect of the proposed development on highway safety.
 - The effect of the proposed development on the living conditions of the residents of 14 Makepiece Road, with particular regard to privacy.

Reasons

Character and Appearance

5. The appeal relates to part of the garden and driveway area to the southern side of 12 Makepiece Road, which is one of a pair of semi-detached properties. An attached single storey garage and storage room currently occupy part of this area, which is positioned on the inward curve of a bend along Makepiece Road.
6. The surrounding area is residential, predominantly comprising a mixture of two-storey pitched roof semi-detached and terrace properties. Gaps in between the majority of these buildings, including those at first floor level, provide relief to the built-up character of the locality and make a positive contribution to the street scene.
7. The existing single storey garage and storeroom would be demolished and replaced by a dwelling that would have a frontage of similar width to other houses in the area. I am aware that the proposal would satisfy the Government's minimum space standards for a new two-storey 2 bedroom dwelling, and that it would be constructed in materials to match those found on neighbouring properties.
8. Nonetheless, by effectively subdividing No 12's garden area, and introducing a two-storey detached dwelling, the proposal would increase the built form and scale of development across the site. Whilst the proposed dwelling has been designed to allow for a passageway between it and No 12, it would be in close proximity to the existing property on the site and the shared boundary and raised attached garage of No 14. In addition, it would have a significantly narrower and smaller garden area than is typical for the locality. As a result, it would significantly reduce the existing first floor gap, and interrupt the rhythm and sense of spaciousness along this part of the street.
9. Furthermore, its eastern side elevation would run parallel with the tapered boundary with No 14. Given the curved alignment of the road a large amount of the awkward angled two storey gable elevation and uncharacteristic hipped roof form would be exposed and readily apparent when approaching from the eastern direction. This would appear visually jarring and conflict with the simple form and design of existing neighbouring houses.
10. The factors above would therefore combine to introduce a contrived, conspicuous, and cramped form of development that would be out of context with the prevailing pattern of development and layout of the immediate surroundings.
11. I am aware that the two storey side extensions to Nos 19 and 21 have infilled the gap in between them. However, this type of development is very much in the minority along Makepiece Road and I do not know the circumstances or the policies that applied at the time of their consideration. In any case, these examples served to confirm that such development adversely effects the character and appearance of the area.
12. As such, I find that the proposed development would harm the character and appearance of the area. It would therefore conflict with Saved Policy EN20 of the Bracknell Forest Borough Local Plan 2002 (LP), Policy CS7 of the Core Strategy Development Plan Document 2008 (CS) and Policies HO1 and HO8 of

the BTNP. Amongst other things, these seek to ensure high quality design, that is appropriate in layout and siting and reflects the scale, mass, height and form of neighbouring properties.

13. It would also fail to accord with advice within the Council's Design Supplementary Planning Document 2017 (SPD1) and the design objectives of the National Planning Policy Framework (the Framework) in these respects.

Highway Safety

14. The Council's Parking Standards Supplementary Planning Document 2016 (SPD2) sets out that 2 car parking spaces are required for each 2 bedroom property. The appeal scheme retains 2 spaces for No 12 but only provides 1 space for the proposed dwelling, leaving a shortfall of 1 dedicated space.
15. Given the overall size of the available space for the single parking bay to the proposed dwelling, and its acute angled layout, I am not convinced that a vehicle could easily manoeuvre within it. This arrangement would be sensitive to awkward and convoluted traffic movements from a vehicle reversing into or out of this space.
16. Furthermore, the distance between No 12 and the footway on Makepiece Road is such that the 2 proposed parking spaces for it would be cramped with the potential for the overhanging of parked vehicles. The proximity of 2 parked cars in the proposed spaces to No 12 would also obstruct access to its front door. In addition, the Council's Highway Engineer's consultation response confirms that these spaces are of an insufficient length to satisfy the SPD2's design standards for a new dropped kerb vehicle crossover access to be formed. This adds to my concerns that the parking arrangement is inadequate and unworkable.
17. Given these constraints it is unlikely that 2 cars would occupy the proposed parking bays to No 12. Notwithstanding the proposed provision of secure cycle parking facilities, it is therefore likely that a shortfall of at least 2 spaces could lead to overspill parking on the highway. I consider the location for any overspill parking would probably be along stretches of Makepiece Road that are immediately adjacent to the sides of the appeal site or on the opposite side of this road in proximity to the junction with Rookwood.
18. No substantive evidence regarding traffic flows, accidents, or on-street car parking levels has been provided by either main party. At the time of my mid-day site visit I saw that there are no parking restrictions immediately outside the appeal site and along Makepiece Road, and that there was some on-street car parking on this highway. Nevertheless, I recognise that this may have been a snapshot in time, and I am mindful of the representations that have been received from local residents, and the Council's Highway Engineer which suggest that on-street car parking already causes problems in regards to visibility splays, including that at the junction with Rookwood. In the absence of any substantive evidence to the contrary, I have no reason to doubt that this situation would be likely to be intensified in the evenings and weekends, when residents are more likely to be at home.
19. I am therefore unable to conclude that the proposal would not exacerbate the existing on-street car parking problems and cause further obstruction to visibility for on-coming vehicles along the bend on Makepiece Road, and

adjacent to the junction of Rookswood. I am also concerned that parked cars along this stretch of the highway, in very close proximity to the proposed accesses, would further impede visibility when trying to enter or leave the site. This danger would be particularly exacerbated by the number of convoluted movements required to access or leave the angled single parking bay.

20. All of the factors above have therefore led me to find that the proposed development would have a harmful effect on highway safety. As such, it would conflict with LP Policy M9, CS Policy CS23, Policy HO4 of the BTNP and the car parking standards in SPD2. Together these seek, amongst other things, to provide well designed car parking space, satisfactory parking provision, and to increase the safety to travel.

Living Conditions

21. The Council are concerned that the first-floor bedroom window within the rear elevation of the proposed dwelling would result in an adverse level of overlooking and loss of privacy to the residents of No 14 when using their back garden area. However, the proposal would sit at a lower level than No 14's rear garden area. Despite its irregular footprint, the first-floor rear window would also be set away from the tapered shared boundary with this neighbouring property by approximately 2 metres.
22. Whilst I acknowledge that the level of overlooking of No 14's rear garden area would be increased by the proposal, this window has been principally orientated to face towards its own rear garden area. It would also be positioned at an oblique angle from the area of No 14's garden that is closer to the house, which would usually be the more private area.
23. Furthermore, I am mindful that a degree of mutual overlooking of garden areas is a common feature in most residential areas. As such, I am satisfied that the proposal's first-floor rear window would not be in such proximity to the shared boundary with No 14 as to result in a significant amount of overlooking and an undue loss of privacy to its neighbouring residents. I therefore consider that this limited amount of overlooking would be acceptable.
24. In light of the above, I find that the proposed development would not harm the living conditions of the residents of 14 Makepiece Road, with particular regard to privacy. It would therefore not conflict with LP Policy EN20 and BTNP Policy HO1 in this regard, or advice contained in SPD1. These seek to ensure that, amongst other things, development would not adversely affect the amenity of the neighbours of surrounding properties. It would also accord with paragraph 130 of the Framework which seeks a high standard of amenity for existing and future users.

Planning Balance

25. The Council accepts that it cannot currently demonstrate a five-year supply of deliverable housing sites. Consequently, Paragraph 11(d) of the Framework is engaged, and planning permission should be granted unless the adverse impacts significantly and demonstrably outweigh the benefits of the proposal.
26. I have found that the proposed development would be harmful to the character and appearance of the area and highway safety. These harms would be wide ranging and long lasting and would be contrary to Paragraph 111 and the design objectives of the Framework. With these factors in mind, I ascribe these

matters substantial weight. My findings on the third main issue of this case would amount to a lack of harm and would thus be neutral in any balancing exercise.

27. It has been put forward that the proposal would be an efficient use of under-used land that is not within a conservation area. Furthermore, I am mindful that the Government is seeking to significantly boost the supply of housing and Paragraph 69 of the Framework recognises that small sites such as this one can make an important contribution to meeting the housing requirement of an area.
28. However, as the proposed development is for 1 dwelling, it would make a contextually small contribution to the Council's housing supply. With this in mind, I attach limited weight to the appeal scheme's benefits. As such, the adverse impacts of granting planning permission would, in this particular case, significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The appeal scheme would not therefore be sustainable development for which the presumption in favour applies.

Other Matters

29. The appeal site is within 4.1km of the TBHSPA, which has been designated in order to protect a number of internationally important bird populations and habitats. The Council has raised some concerns in respect of the effectiveness of the UU to mitigate the impact on the TBHSPA. These relate to the absence of an administrative and monitoring fee, and the application of the contributions which are based on previous percentage restrictions that are not in accordance with the Thames Basin Heaths Special Protection Area Supplementary Planning Document 2018. However, as I am dismissing the appeal for other reasons, further consideration of the need for me to undertake an appropriate assessment and whether the UU provides necessary mitigation, is not required.
30. My attention has also been drawn to examples of other developments on Makepiece Road, Wilders Close, Portman Close and Shepherds Lane. However, I have no substantive evidence as to the manner in which those schemes were assessed as being acceptable. Moreover, all of these examples other than for 40A Shepherds Lane are not on sites that are located in between 2 houses. I also saw on my site visit that No 40A is a mid-terrace property. Accordingly, their circumstances are not directly comparable with those which apply in this case.

Conclusion

31. The scheme conflicts with the development plan and there are no material considerations, including the provisions of the Framework, to suggest that a decision should be taken other than in accordance with it. The appeal should therefore be dismissed.

Mark Caine

INSPECTOR