
Appeal Decision

Site visit made on 20 June 2022

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2022

Appeal Ref: APP/R0335/W/21/3282259

Rendcombe, Terrace Road South, Binfield, Bracknell RG42 4DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Michael Edwards against the decision of Bracknell Forest Borough Council.
 - The application Ref 21/00276/OUT, dated 9 March 2021, was refused by notice dated 30 July 2021.
 - The development proposed is outline application with all matters reserved except for access for the erection of a 3-bedroom dwelling with integral garage and associated access to rear of existing dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For reasons of precision and clarity, I have taken the description of development from the Council's decision notice. I have determined the appeal on this basis.
3. The appeal application was submitted in outline with all detailed matters, except for access, reserved for a subsequent reserved matters application. An indicative layout (drawing No P20-0720_004-1 Rev C) and elevations (P20-0720_002_1 Rev D) accompanied the appeal application. I have taken these into account in so far as establishing whether or not it would be possible, in principle, to erect a detached dwelling on the site.

Main Issues

4. The main issues in this appeal are:
 - The effect of the proposal upon the character and appearance of the area;
 - The effect of the proposal upon the living conditions of neighbouring residents, in particular with regards to potential noise and disturbance from the proposed access; and
 - The effect of the proposal upon the Thames Basin Heath Special Protection Area (the SPA).

Reasons

Character and appearance

5. The appeal site comprises a detached property set within a long plot. The surrounding area is predominately residential. To the south, along Terrace Road South, properties comprise a ribbon of development, characterised mainly by detached dwellings, set within long plots. Views into the private rear garden areas are limited. Dwellings are set back from the road, with access and parking to the front. To the north, lies Courtney Place, a large apartment block, with parking and access to the front and communal gardens to the rear. Further to the north, the pattern of development changes, with a tighter urban grain, along with the introduction of commercial uses. To the rear of the appeal site, is a development of detached houses, set within reasonable plots, although smaller than the appeal site.
6. Within the area there is no clearly identifiable design approach, with all dwellings along Terrace Road South being different. Dwellings to the rear and opposite the appeal site are more estate in their design and layout, therefore have some similar features. Notwithstanding these developments, overall, the surrounding character is one of a mixed and varied design.
7. Policy BF1 (Infill and backland development) of the Binfield Neighbourhood Plan (BNP), requires development to protect and, amongst other things, to reflect the scale, mass, height and form of neighbouring properties. Development must not lead to over-development, it should avoid the appearance of cramming and have a similar form to properties in the immediate surrounding area. Policy CS7 of the Core Strategy Development Plan Document (CS), amongst other things, requires proposals to build on urban, suburban and rural character and respect local patterns of development. Policy EN20 of the Bracknell Forest Borough Local Plan (BFLP), requires proposals to be sympathetic with the appearance of the local environment and appropriate in scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings, spaces and views.
8. Whilst the appeal proposal is submitted in outline, a large amount of illustrative detail has been provided. This demonstrates that it would be possible to ensure that the overall scale, mass and height of the proposed building would respect the nature of surrounding developments in these respects. Furthermore, due to the presence of the host dwelling, views of the proposed dwelling would be limited, thereby preserving the existing street scene.
9. It has been put to me by the appellant that the newer developments to the rear, along with Courtney Place, provides a departure from the traditional character of the area, with the appeal site falling within a transition area between these developments and those to the south. However, to my mind, Courtney Place, whilst extending further to the rear than the appeal host property, is still very much a frontage development, with parking and access to the front and a garden area to the rear. It marks a change in character, between the less dense development, of which the appeal site is part, and the denser development to the north, which is of a tighter urban grain, with increased elements of backland development. As a result, given the similarities, I consider that the character and appearance of the appeal site is more related to the existing developments to the south, along Terrace Road South, which is defined by low density, frontage development, set within spacious plots.

10. The proposed dwelling would sit within its own plot, the size of which, whilst being comparable to those to the rear, would be considerably less than those along Terrace Road South. The same would apply to the plot size of the host dwelling. The resulting plot size for the proposed and host dwellings would therefore not be comparable to the plots of other dwellings along Terrace Road South, as a result, it would appear as a cramped form of development.
11. Drawing these together, the introduction of the new dwelling and associated activity into the rear garden of the appeal site, would introduce a form of development, that would fail to respect the overall grain and character of the surrounding area and would therefore appear as an overly contrived form of development. In this respect, the proposal would be out of keeping with the character and appearance of the area.
12. For the above reasons, I therefore conclude that the proposed development would harm the character and appearance of the area and, in this respect would be contrary to Policy BF1 of the BNP, Policy CS7 of the CS, Policy EN20 of the BFLP and the National Planning Policy Framework (the Framework).

Living conditions

13. From the evidence before me, the proposed buildings would be located sufficient distance away from neighbouring dwellings to ensure that there would be no adverse loss of light or overbearing effect upon neighbouring properties. In terms of privacy, the illustrative material demonstrates that it would be possible to orientate the proposed dwelling so that there would be little direct overlooking of the adjoining neighbouring properties. Furthermore, existing boundary landscaping would be retained, which would provide further screening.
14. Vehicular access to the proposed dwelling would be provided via a narrow driveway, between the host property and Halfacre. At present all vehicle activity associated with the appeal site occurs to the front. The provision of the new dwelling would introduce vehicular activity along the boundary of the neighbouring dwelling. When compared with the existing situation, the provision of the vehicular access would be likely to lead to an increase in noise and disturbance. Furthermore, associated activity from vehicles entering/exiting and manoeuvring into the rear parking spaces would also be noticeable to the occupants of Halfacre. As such, I consider that the location of the access, along with the activity associated with the provision of car parking to the rear of the appeal site would represent an unneighbourly form of development.
15. Therefore, whilst I do not consider that the proposed development would result in any adverse overlooking or loss of privacy, it would introduce noise and disturbance through the introduction of vehicular activity to the rear of the appeal site, which would harm the living conditions of surrounding residents.
16. For the above reasons, I therefore conclude that the proposed development would harm the living conditions of surrounding residents and, in this respect is contrary to Policy BF1 of the BNP, Policy CS7 of the CS, Policy EN20 of the BFLP and the Framework. These policies, amongst other things seek to ensure development does not adversely effect neighbouring properties.

SPA

17. The appeal site is within the zone of influence of the SPA. It would have been necessary for me to undertake an Appropriate Assessment as the competent authority if the proposal had been acceptable in planning terms. However, as I have concluded that the proposed development would conflict with other development plan policies, and, given my decision to dismiss this appeal, I have not considered this matter further.

Other Matters

18. I have been referred to the positive response to the submitted pre-application enquiry. Whilst I appreciate that the pre-application advice differs from the decision on the appeal application, pre application advice is offered without prejudice to the formal decision on any subsequent planning application. Accordingly, issues relating to the pre-application advice have not had any material bearing on my assessment of the planning issues in this appeal.
19. Furthermore, I note that the Council raise no other issues in relation to ecology, parking and access, amongst other things. However, as these are requirements of policy and legislation, the absence of harm in respect of these matters are neutral factors that weigh neither for nor against the development.

Conclusion

20. For the reasons given above, I conclude that the appeal should be dismissed.

Adrian Hunter

INSPECTOR