



Appeal Decision

Site visit made on 8 November 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 16 November 2022

Appeal Ref: APP/R0335/W/22/3298866

7 York Way, Sandhurst GU47 9DE

- 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 D Godvindasami of Nightingale Dental Practice against the decision of Bracknell Forest Council.
 - The application Ref 21/00743/FUL, dated 26 July 2021, was refused by notice dated 3 December 2021.
 - The development proposed is the erection of a single storey side and rear extension to expand the existing Dental Practice (D1).
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey side and rear extension to expand the existing Dental Practice (D1) at 7 York Way, Sandhurst GU47 9DE in accordance with the terms of the application, Ref 21/00743/FUL, dated 26 July 2021, subject to the conditions set out in the Schedule to this decision.

Main Issues

2. The main issues are the effect of the proposed development on:
 - highway safety, with regard to parking provision; and
 - the living conditions of the occupiers of no. 5 York Way.

Reasons

Highway Safety

3. The proposed extension would introduce two additional treatment rooms to the dental practice. The additional treatment rooms are needed by the appellant to facilitate “fallow time” between appointments, to ensure each room can be cleaned and ventilated effectively. The need for these more stringent safety measures has arisen following the Covid-19 pandemic, and a consequent tightening of associated cleaning protocols set out in guidance issued by the Faculty of General Dental Practice UK (FGDP).
4. Irrespective of the increase in floorspace, in practice, this means the development would not lead to any increase in visitor or staff numbers. In turn, extant demand for parking, for both the dental practice and the residential accommodation above, should remain the same. Patient numbers are also capped pursuant to the appellant’s NHS contract, and this cap could be further secured by condition, to ensure this remains the case in future.

5. Notwithstanding this position, I acknowledge the on-site parking provision would fall short of guidance set out in the Council's Parking Standards Supplementary Planning Document (2016) (Parking SPD). However, owing to the availability of on-street parking in the vicinity of the dental practice, the Council has previously considered the level of on-site parking provision to be acceptable. Indeed, the findings of the appellant's transport statement demonstrate that any overspill parking can comfortably be accommodated within the surrounding road network. My own observations of on-street parking availability also reflected this position.
6. Subject to condition, I am therefore satisfied that the development would not lead to any meaningful change in parking demand for the dental practice, and consequently, its impact with regard to highway safety would be neutral. Notwithstanding the conflict with guidance set out in the Parking SPD, the proposal would therefore be consistent with saved Policy M9 of the Bracknell Forest Borough Local Plan (2002) (Local Plan), which requires new development to secure adequate parking for vehicles and cycles. The proposal would also reflect the requirements of Policy CS23 of the Council's Core Strategy Development Plan Document (2008) (Core Strategy), which seeks to ensure new development maintains the local road network, with a focus on access to key local services. Finally, the development would be consistent with the overarching highway safety objectives of the National Planning Policy Framework (2021) (Framework).

Living Conditions

7. The proposed extension would be sited approximately 1.6 metres from the northern flank elevation of no. 5 York Way. This separation distance would be comparable to the arrangement of many other nearby neighbouring properties, and would therefore be typical of the locality. The side elevation of no. 5 which faces the appeal property also has no habitable room windows, which means the development would not impact on levels of natural light within this side of the dwelling. A daylight assessment has also confirmed that the proposal would not materially impact on levels of natural light experienced in rooms to its rear. Whilst the development would extend beyond the rear elevation of no. 5 by approximately 4.6 metres, the extension would be single storey only, so should not appear unduly dominant nor overbearing from within the rear garden to no. 5.
8. On this basis, I am satisfied that the development would not cause unacceptable harm to the living conditions of the occupiers of no. 5. The development would be consistent with saved Policy EN20 of the Local Plan, which seeks to ensure development does not adversely affect the amenity of surrounding properties. The proposal would also reflect the content of Policy CS7 of the Core Strategy which promotes good design, as well as the amenity principles set out in the Framework.

Other Matters

9. Some concern has been raised that traffic data collected by the appellant is not representative of the parking situation within the locality, as it was collected during the Covid-19 pandemic. However, the survey was carried out mid-week, when shops and businesses were open as usual. In any event, given that visitor and patient numbers would not materially change, the development

should not lead to any meaningful proliferation in on-street parking. In turn, there should also be no material impact in terms of noise or disturbance.

Conditions

10. The Council has supplied a list of suggested conditions which I have reviewed and updated in line with Planning Practice Guidance (PPG) and the Framework.
11. I have included a plans condition for certainty over the development permitted. To ensure the development integrates properly with its host building, I have included a condition which requires the external materials of the extension to match those used in the existing building.
12. The parking spaces must be provided in accordance with the approved drawings prior to occupation of the development, and retained thereafter. Given the limited extent of on-site parking, it is also appropriate to secure cycle parking provision in connection with the dental practice.
13. To ensure the development does not lead to any proliferation in on-street parking, I have included a condition which restricts the number of patients that can be treated at the practice in a single day. This condition alone should be sufficient to suppress additional parking pressure within the locality, without any further restrictions with regard to staff parking.
14. The Council has also suggested a condition requiring refuse and recycling storage to be provided as part of the development. However, this would not be necessary to procure the acceptability of the development, so has not been included.

Conclusion

15. For the reasons given above, and having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be allowed.

James Blackwell

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: L_1543_90 Rev A (Proposed Site Location Plan); L_1543_91 Rev A (Proposed Block Plan); L_1543_102 Rev B (Proposed Ground Floor Plan); L_1543_103 Rev A (Proposed First Floor Plan); L_1543_121 Rev A (Proposed Elevations); L_1543_122 Rev A (Proposed Elevations); and L_1543_131 Rev A (Proposed Sections).
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building unless otherwise specified on the approved plans.
- 4) No part of the development hereby approved shall be occupied until the vehicle parking spaces have been laid out in accordance with drawing L_1543_102 Rev B (Proposed Ground Floor Plan). The parking spaces shall be kept clear of obstruction and retained solely for the use of parking of vehicles in connection with the development thereafter.
- 5) No part of the development hereby approved shall be occupied until covered and cycle parking facilities have been provided in accordance with details to be submitted to and approved by the Local Planning Authority. These facilities shall be kept available for cycle parking thereafter.
- 6) No more than 32 patients shall be permitted to attend the dental practice for treatment in any single day of the week.