



Appeal Decision

Site visit made on 11 April 2023

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 June 2023

Appeal Ref: APP/R0335/D/22/3311770

121 College Road, College Town, Sandhurst, Berkshire GU47 0RD

- 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 Anoop Radhakrishnan against the decision of Bracknell Forest Council.
 - The application Ref 22/00003/FUL, dated 16 January 2022, was refused by notice dated 30 September 2022.
 - The development is a single storey rear extension following the demolition of existing conservatory and installation of two outdoor A/C units, one at the front and one at the rear of the property.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension following the demolition of the existing conservatory and installation of two outdoor air condition units, one at the front and one at the rear of the property, at 121 College Road, College Town, Sandhurst, Berkshire GU47 0RD, in accordance with application Ref: 22/00003/FUL, dated 16 January 2022, and subject to the conditions set out below:-
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan (received by the Council 29 June 2022);
 - Block Plan (received by the Council 29 June 2022);
 - Proposed west elevation (revised plan received by the Council 4 August 2022 and as amended by email from the applicant dated 1 September 2022);
 - Proposed north elevation (revised plan received by the Council 4 August 2022 and as amended by email from the applicant dated 1 September 2022);
 - Proposed east elevation (revised plan received by the Council 4 August 2022 and as amended by email from the applicant dated 1 September 2022);

- Proposed roof plan (revised plan received by the Council 4 August 2022 and as amended by email from the applicant dated 1 September 2022);
 - Proposed floor plan (revised plan received by the Council 4 August 2022 and as amended by email from the applicant dated 1 September 2022); and
 - Proposed south elevation (received by the Council 1 September 2022).
- 2) The air conditioning units installed and operated in connection with this permission shall be so enclosed and / or attenuated that noise therefrom does not exceed at any time a level of 5dB(A) below the existing background noise level or 10dB(A) if there is a particular tonal quality or is intermittent in nature when measured in accordance with BS4142:2014 at a point one metre external to the nearest residential or noise sensitive property.

Application for Costs

2. An application for costs was made by Anoop Radhakrishnan against Bracknell Forest Council. This application is the subject of a separate decision.

Procedural Matters

3. At the time of my visit the extension had been constructed and an air conditioning unit had been installed upon the front elevation of the bungalow. The proposed air conditioning unit on the rear of the property had not been installed. For the avoidance of doubt, my determination of the appeal is based on the drawings as submitted.

Main Issue

4. The main issue is the impact of the proposal upon the living conditions of nearby occupiers, having particular regard to outlook, light levels and noise.

Reasons

5. The appeal property is a detached bungalow positioned within a generous plot. College Road is a long, straight road with a mix of ages and styles of houses and bungalows to either side. 121 College Road (No 121) is part of a short row of detached bungalows to the western side of the road. Many of the nearby houses and bungalows have been extended, and the appeal property and the bungalows at 123 and 125 College Road (Nos 123 and 125) all have deep rear extensions. To the south is a children's nursery that comprises both a bungalow and a house, with the former being closest to the appeal property.
6. The extension has a flat roof and is constructed of a brick that matches that used in the host building. The flank walls have been set back from

the side elevations of the bungalow, and the extension is further separated from the property boundaries by the driveway to one side and a footpath to the other. No 123 has a deep rear extension of a comparable length to the appeal scheme. The separation between the two along with the single storey flat roofed nature of the appeal scheme is such that the occupiers of No 123 would maintain their existing living conditions with regard to outlook and light levels.

7. To the other side boundary there is a tall fence between the appeal property and 119 College Road (No 119), and the upper walls and the roof of the extension would be visible above the fence. The extension is deep, but despite this, its modest height, its flat-roofed form, its uniform appearance, and its separation from the boundary is such that it does not form an oppressive outlook for nearby neighbours. As No 119 is to the south of the appeal property, the modest height of the extension would not result in a loss of daylight or sunlight, nor would it cause an unacceptable degree of shading.
8. The air conditioning unit to the front of the bungalow had been installed, and its position close to ground level to one side of the bay window minimises its visual impact within the street scene. This is particularly so as there is a slight drop down from the public footway and the property has a front garden wall which serves to partly screen the unit. The unit is close to the boundary with No 119, albeit separated from the neighbouring bungalow by the footpath. The front garden of No 119 is used for parking for the nursery and having regard to this and the background noise from the road, the noise impact of the unit and consequential disturbance to the residents and users of nearby properties could be managed through the condition suggested by the Council.
9. Another unit would be installed on the roof of the extension, and the condition suggested by the Council would both mitigate and manage the noise levels deriving from the operation of the units, including when they were running at the same time. Given these circumstances, the units would not unacceptably harm the living conditions of nearby residents nor harmfully impact upon users of the nursery.
10. The owners of No 119 have referred to the extension being overdevelopment of the site, out of character with the local pattern of development. Nearby properties have been extended in a variety of ways, including some with deep rear extensions, such as evident at No 123, and No 125 also has a deep pitched roof extension. In such a context the appeal proposal does not have an overbearing impact within the area, nor upon nearby occupiers.
11. For these reasons the extension and air conditioning units would not unacceptably harm the living conditions of nearby residents and users, and the suggested conditions would mitigate the impact of the operation of the air conditioning units. The scheme would accord with Policy CS7

of the Bracknell Forest Borough Core Strategy (2008), Policy EN20 of the Bracknell Forest Borough Local Plan (2002), and the guidance in the Council's Design Supplementary Planning Document (2017). These seek, amongst other things, high quality design that is in sympathy with the appearance and character of the area and local identity, and that which does not adversely affect the amenity of surrounding properties, thereby reflecting objectives of the National Planning Policy Framework (the Framework).

Other Matters

12. Concerns regarding the Council's handling of the application relate to procedural matters and have no bearing on my consideration of the planning merits of the case.

Conditions

13. The conditions suggested by the Council have been considered against paragraph 56 of the Framework. Where necessary and in the interests of clarity and precision they have been altered to better reflect these requirements. As the extension has been erected and is constructed of materials that match the host building, I have not imposed a condition regarding the time limit for the commencement of development, nor one for details of materials. The plans condition has been imposed to identify the drawings relevant to the appeal so as to provide certainty and avoid doubt, with the drawing title and dates cited as provided by the Council. A condition has also been imposed regarding noise levels and attenuation measures for the air conditioning units to ensure that they do not have a harmful impact upon nearby occupiers.

Conclusion

14. Thus, for the reasons given above and having considered all other matters raised, the appeal is allowed.

J J Evans

INSPECTOR