



Appeal Decision

Site visit made on 28 November 2023 by Max Webb BA(Hons) MSc MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 April 2024

Appeal Ref: APP/R0335/D/23/3327940

78 Fernbank Road, Ascot, Bracknell Forest SL5 8HF

- 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 Iain Holland against the decision of Bracknell Forest Council.
 - The application Ref 23/00196/FUL, dated 22 March 2023, was refused by notice dated 27 July 2023.
 - The development is described as 'Installation of a barn style outbuilding with attached shed at the bottom of the existing garden for use as a home gym and storage. Following completion of the work the existing garage (which will be no longer accessible to vehicles due to already approved extension) will be dismantled to make way for extension build. The proposed outbuilding is planned to be 0.5m from the site boundary and is 3.982m high at top of dual roof with eaves starting at 2m'.
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Decision

1. The appeal is allowed and planning permission is granted for barn style outbuilding with attached shed at the bottom of the existing garden for use as a home gym and storage at 78 Fernbank Road, Ascot, Bracknell Forest SL5 8HF in accordance with the terms of the application, Ref 23/00196/FUL, dated 22 March 2023, and the plans submitted with it.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The outbuilding has been erected and amended plans were submitted to the Council during the application process to reflect what had been built. The outbuilding differs slightly from the description given on the application form in terms of its siting, as it is further away from the boundary than described. The Council made its decision based on the amended plans and what has been constructed, and I have considered the appeal on the same basis.
4. I have used a shortened description in the decision above, to remove wording that does not refer to acts of development, and to reflect the changes in the scheme which occurred during the application process.
5. The Government published a revised version of the National Planning Policy Framework (Framework) on 19 December 2023. Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to

the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

6. The main issues are the effect of the development on:

- the character and appearance of the surrounding area; and
- the living conditions of the occupiers of 9 Saddlers Mews, with particular regard to outlook.

Reasons for the Recommendation

Character and Appearance

7. Although large, the outbuilding is sited in a relatively long garden. It does not therefore appear out of scale with the plot and a good size garden remains. Consequently, it does not result in overdevelopment of the appeal site.
8. Whilst the roof is reasonably tall, the outbuilding is set well away from the host dwelling and surrounding properties and remains much lower than these buildings. Therefore, although larger than surrounding outbuildings, the outbuilding still appears an appropriate scale in this context. While the design of the development does not follow the style of the original building, it complements it with a unique addition that is clearly identifiable as an outbuilding.
9. There are glimpsed views of the outbuilding from the street to the front of the host dwelling, however it is set well down the garden and is not highly visible. It is also possible to see the outbuilding from Saddlers Mews, however it is heavily obscured by existing properties and boundary treatments. Consequently, the outbuilding does not harmfully intrude on the street scene and appears as a normal domestic feature in a residential garden.
10. Accordingly, the outbuilding does not harm the character or appearance of the surrounding area. It therefore does not conflict with Policy CS7 of the Core Strategy Development Plan Document (adopted 2008) or Policy EN20 of the Bracknell Forest Borough Local Plan (adopted 2002), insofar as they require high quality design that respects local patterns of development, is in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design and siting.
11. In addition, the development follows the aims of the Design Supplementary Planning Document (adopted 2017), which outlines how outbuildings should not affect the character of the street scene or area. It also conforms with the Framework, which seeks to ensure development is sympathetic to local character.

Living Conditions

12. The outbuilding is positioned close to the boundary with No 9, extending across most of its rear garden boundary. The height and size of the outbuilding means it is clearly visible from the garden of No 9, and there is likely to have been some loss of outlook as a result of its construction. However, the roof of the

outbuilding slopes down towards the boundary and there is still a relatively open outlook to either side of the garden of No 9 and past the ends of the outbuilding. Outbuildings in rear gardens are a common occurrence, and it is not therefore unusual to see a structure in a neighbouring garden.

Consequently, the outbuilding does not appear unduly overbearing or result in a harmful loss of outlook, and therefore does not harm the living conditions of the occupiers of No 9.

13. The outbuilding is visible from other nearby properties and their gardens, including 10 and 11 Blackmoor Close, 6 and 8 Saddlers Mews and 84 Fernbank Road. However, the main bulk of the outbuilding is set far enough away from the boundaries of these sites that it does not appear unduly overbearing or result in a harmful loss of outlook to these dwellings or their gardens. It does not, therefore, harm the living conditions of the occupiers of these properties.
14. As a result, the development does not conflict with Local Plan Policy EN20 insofar as it requires that development does not adversely affect the amenity of surrounding properties. Nor does it conflict with the Framework, which promotes a high standard of amenity.

Other Matters

15. I have no evidence before me to suggest that the outbuilding will be used for habitable accommodation, or anything other than uses associated with the host dwelling. Should a material change of use occur, this would require a further planning permission. I do not, therefore, consider it necessary to recommend conditions to prevent the use of the outbuilding as habitable accommodation.
16. I have found that the outbuilding as built does not result in harm, therefore there is no need for conditions relating to its colour or landscaping. It is however open to the appellant to plant around the outbuilding if they wish to.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and I agree with the reasoning set out above. No conditions are necessary to make the development acceptable. On that basis, the appeal is allowed.

L McKay

INSPECTOR