



Appeal Decision

Site visit made on 19 November 2024

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2024

Appeal Ref: APP/R0335/W/24/3340165

36 Ardingly, Bracknell RG12 8XR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Nehhal Jani against the decision of Bracknell Forest Borough Council.
 - The application Ref is 23/00533/FUL.
 - The development proposed is the demolition of an existing attached single garage and car port and subsequent sub-division of the existing curtilage to allow for the erection of a new two storey, detached dwelling and driveway entrance.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the appeal application by the Council, the Bracknell Forest Local Plan (BFLP) has been adopted, in March 2024. This replaces the former Bracknell Forest Borough Local Plan, dated January 2002, and the former Core Strategy Development Plan Document, dated February 2008. I have determined the appeal on the current planning policy position. Both main parties have had the opportunity to comment on this change, and so no prejudice would arise.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area, including on trees, and
 - the safety and convenience of highway users.

Reasons

Character and Appearance

4. The appeal site consists of a two-storey dwelling and its garage and car port. It is within an area where built form is set back behind open-plan front gardens and driveways, and where modest garages or car ports provide a degree of separation between houses. Whilst a few front gardens have been paved over, most retain their green appearance, as do deep verges. This layout gives the area a spacious, suburban character.
5. The application proposes to demolish the garage and car port, and to erect a two-storey detached dwelling. The existing rear garden would be sub-divided,

with parking created within the front garden of the existing dwelling. The front door of the existing property would be relocated to face the street.

6. There is no requirement for proposals to always copy their surroundings in every way. Nevertheless, the proposed dwelling would be sited very close to the side edge of the site. This proximity and the additional height and mass of the proposal would fill much of the side space with built form. As a result, it would have an overly dense and cramped appearance, thereby undermining the spacious character of the street scene.
7. Moreover, the frontages including of the host dwelling, would be largely filled with hard surfacing and parked vehicles associated with the proposal. This would dominate the front of the properties and further diminish the low-density character of its surroundings. The new hard surfacing may not of itself require planning permission, but it is part of the proposal before me and flows from it. It therefore forms part of my assessment of the appeal.
8. The new dwelling would be closer than the existing garage to tall trees which line the nearby arterial dual carriageway (A3095). The trees help to soften the appearance of the A3095 and the wider area. No tree removal is proposed, but only a draft Arboricultural Method Statement and few foundation details have been provided. Even if suitable construction details could be secured by condition, the scale and position of the proposal may well threaten the long-term future of the trees.
9. Furthermore, the proposed subdivision of the existing rear garden would leave the occupiers of the new dwelling with a narrow amenity space. This would be overshadowed by the adjacent trees. Consequently, it would be difficult for the Council to resist pressure from future occupiers to prune or fell the trees, to improve their living conditions.
10. As such, the proposal would harm the positive contribution that the trees make to the appearance of the area. I have little evidence to suggest that trees planted elsewhere would provide sufficient compensation. The effects of the proposal would be greater than from possible extensions to the existing dwelling, because its occupiers would have a much wider garden that would be less dominated by the trees.
11. For the reasons given above, I conclude that the proposal would harm the character and appearance of the area, including trees. Accordingly, it would conflict with BFLP Policy LP28, Policy HO4 of the Bracknell Town Neighbourhood Plan (NP), made October 2021, and the Council's Design Supplementary Planning Document, dated March 2017. These require proposals to respond to the distinctive appearance of the locality, to ensure a high-quality streetscape and to attractively accommodate, amongst other things, parking spaces. Similarly, the proposal would conflict with BFLP Policy LP54 and NP Policy EV4, which seek the retention, protection and enhancement of trees with amenity value.

Highways

12. It is common ground that two parking spaces are necessary to serve the new dwelling. One of the two spaces proposed would be positioned parallel to the edge of the footway of Ardingly road. Single-width driveways and tandem spaces are not uncommon hereabouts. However, the awkward orientation and

tight location of the parallel space, and the blocking position of the adjoining space, would discourage its use by future occupiers. Bin and cycle storage may further restrict the space available, especially given the narrowness of any shared path to the rear of the site. As a result, occupiers may well choose to park on the carriageway or footway instead.

13. Although a snapshot in time, I saw that parking on the street and pavement already occurs locally. Manual for Streets is supportive of on-street parking in certain circumstances. However, in this case, the site is adjacent to a turning head. There is insufficient space for some large vehicles to turn here, for example goods, refuse or emergency vehicles. As such, they may be required to reverse to or from the nearest junction. Vehicles entering or leaving nearby driveways would also need to undertake reversing manoeuvres within the highway.
14. I am therefore concerned that the increase in on-street parking resulting from the proposal would restrict use of the highway, pavements and turning head. It would make vehicular manoeuvres, including reversing, more difficult. Although the road is a cul-de-sac, it nevertheless provides pedestrian access to the properties here, some of whom may have restricted mobility. Consequently, the proposal would risk conflict with and disruption for other road users, including pedestrians.
15. The parties dispute whether there would be sufficient distance from the existing dwelling to the footway edge to allow for parking and pedestrian access to serve it. Notwithstanding the Building Regulations, I am aware of no planning requirement for an offset for pedestrians to be provided in front of a dwelling. I am therefore not convinced that the proposal would necessarily result in vehicles overhanging the pavement. Nor on this basis would it conflict with the Parking Standards Supplementary Planning Guidance (PSPD), March 2016.
16. Nevertheless, for the reasons given above, the proposal would harm the safety and convenience of highway users. Accordingly, it would conflict with BFLP Policy LP25, which requires development to prevent, minimise and mitigate negative impacts on highway safety and provide effective, convenient and safe arrangements. Similarly, the proposal would conflict with the National Planning Policy Framework which seeks to avoid unacceptable impacts on highway safety. However, for the reasons stated, it would not conflict with BFLP Policy LP62, which requires parking to be provided having regard to the PSPD.

Other Matters

17. The proposal would positively contribute to housing supply. Future occupiers would make social and economic contributions to the area. Construction of the proposal would have other economic advantages, for example to the local building industry. It would make efficient use of land, on a site with reasonable access to services and facilities. That said, being for one new unit, these contributions would be small. I therefore give these benefits limited weight.
18. The Council's fourth reason for refusal refers to the effect of the proposal on the Thames Basin Heaths Special Protection Area (SPA), protected pursuant to the Conservation of Habitats Regulations 2017. Had I found no harm in respect of the main issues, as competent authority I would have carried out an Appropriate Assessment in respect of the potential effects of the proposal on

the SPA. However, as I have found that permission should be refused for other reasons, this matter need not be considered any further in this case.

Planning Balance and Conclusion

19. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case, and the weight I give to them, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR