



Appeal Decision

Site visit made on 25 November 2024

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2024

Appeal Ref: APP/R0335/W/24/3341188

43 Pewsey Vale, Bracknell Forest, Bracknell RG12 9YA

- 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 Mr Alex Briggs against the decision of Bracknell Forest Borough Council.
 - The application Ref is 23/00800/FUL.
 - The development proposed is describes as a change of use of amenity land to 43 Pewsey Vale to private open space enclosed by relocating the existing curtilage boundary to encompass the amenity land as private open space, in a new location.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of amenity land to private open space enclosed by relocating the existing curtilage boundary to encompass the amenity land as private open space at 43 Pewsey Vale, Bracknell Forest, Bracknell RG12 9YA in accordance with the terms of the application, Ref 23/00800/FUL, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos: 2023-1469-PL 1 of 3; and 2023-1469-PL 3 of 3.

Procedural Matters

2. The proposed development has already been completed and planning permission is sought to regularise the development. On visiting the site, I am satisfied the plans represent that which has been completed.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site includes 43 Pewsey Vale, an end terrace property, and a grassed area to the side of that property which separates it from the access path to No. 43 and its neighbours. Originally the grassed area and No.43 were separated by a brick wall¹. The grassed area has now been incorporated into the garden of No. 43 and enclosed by wooden fencing.
5. Pewsey Vale is part of a larger suburban and residential estate. Throughout the estate the short terraces of houses, parking courts and roads are interspersed with areas of landscaping originally planned to soften the overall character and

¹ As shown in the photograph on page 5 of the Officer Report

appearance of this otherwise relatively dense development. Mainly these are located within the relatively open frontages of the houses or at junctions and corners within the road layout. It is appreciated that over time the planting of these landscaping areas has reduced and, like the area next to No. 43, are often simply grassed or overgrown open spaces.

6. The location of the grassed area is at odds to much of the other open space in the estate as it is to the side of a house and set back from the road edge following an access only path. Thus, its overall contribution to the landscaping of the estate would have been less as it was not as visually obvious. As it was only grass also meant it could not have provided much of a softening effect due to the lack of any plants or trees on it. I therefore do not consider it to have been a significant contributor to the appearance of this part of Pewsey Vale.
7. It is noted that in conjunction with the access path it provided a clear view of the woodland beyond the estate. However, the woodland setting of this part of the estate is specifically visible at 1st floor level due to the height of the trees and this would not be impacted by the proposal. Equally the short length and relatively broad width of the access path, even with the enclosure of the grassed area, retains an open aspect and level of legibility that ensures the interrelationship between the woodland, No. 43 and its neighbours, and the wider estate is retained.
8. Consequently, in this specific instance, I find the grassed area would not have significantly contributed to the visual amenity of its surroundings and so the proposal would not harm the character and appearance of the area. It would therefore comply with Bracknell Forest Borough Local Plan (LP) Policy H12, which deals specifically with the enclosure of open land in residential areas, and LP Policy EN20 and Core Strategy Development Plan Document Policy CS7 insofar as they seek new development to take account of local character.

Other Matters

9. The proposal would not cause harm to highway safety, existing parking, or the living conditions of the occupants of No. 43 or neighbouring properties.
10. That the Council is concerned with precedence in relation to enclosure of similar areas does not materially alter my findings, and any future similar proposals should be considered on their own merits. Also, previous advice given to the appellant and the personal benefits identified do not alter the planning merits of the case.

Conditions and Conclusion

11. As the proposed development has been completed, the only condition required is one specifying the plans, and this is to ensure certainty of that approved.
12. Therefore, for the above reasons, the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the National Planning Policy Framework, which would indicate a decision otherwise. The appeal is, therefore, approved.

RJ Redford

INSPECTOR