
Appeal Decision

Hearing held on 3 July 2025

Site visit made on 3 July 2025

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2025

Appeal Ref: APP/R0335/W/25/3361251

- **Winkfield Working Mens Club, Chavey Down Road, Winkfield Row, Bracknell RG42 6LY.**
 - 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 County Homes Thames Valley Ltd against the decision of Bracknell Forest Council.
 - The application Ref is 24/00649/FUL.
 - The development proposed is described as the erection of 1x three-bed and 2x four-bed detached dwellings with associated parking / cycle, refuse / recycling storage and modified access following demolition of existing building.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by County Homes Thames Valley Ltd against Bracknell Forest Council. This application is the subject of a separate decision.

Preliminary Matters

3. The Council's third reason for refusal related to the baseline assessment and site degradation details at the appeal site in relation to biodiversity net gain. However, following the submission of further details, the Council has confirmed that satisfactory information has now been submitted, and it no longer wishes to defend reason for refusal three. Having reviewed this additional information, I have no reason to disagree with the Council.
4. The Council's fourth and fifth reasons for refusal related to securing a legal agreement to ensure suitable avoidance and mitigation measures in respect of the Thames Basin Heath Special Protection Area, and obligations in respect of public open space and facilities. Before the hearing, I accepted a signed and dated legal agreement which was agreed between the main parties. The Council also confirmed, prior to the hearing, that it no longer wished to defend reasons for refusal four and five on this basis. Having reviewed the legal agreement, I have no reason to disagree with the Council.
5. Any reference to 'the Council' in my decision refers to Bracknell Forest Council unless expressed otherwise.

Main Issues

6. The main issues therefore are the effect of the proposed development upon:
- Community facilities and services;
 - The character and appearance of the area; and
 - The living conditions of existing residential occupiers with particular reference to privacy and outlook.

Reasons

Community Facilities and Services

7. Policy LP 44 of the Bracknell Forest Local Plan 2024 looks to protect community facilities and services. Paragraph 14.1 of the Local Plan explains that these play an important role in developing and maintaining community inclusion and cohesion, and they comprise a range of social, recreational and cultural facilities and services.
8. The existing building was previously in use as a working men's club, in essence a private members social club. While clubs are not listed at paragraph 14.1 of the Local Plan, given the list is predicated with the phrase 'such as' I conclude that this is not a closed list. Therefore, just because something is not included on the list does not automatically mean it is not a community facility or service.
9. In this case it is a matter of judgement based on the individual circumstances of any case as to whether it would, or would not, be a community facility or service. A social club of this nature would have served as a location for people to come together to socialise, build friendships and links with like-minded people, or take part in recreational activities such as darts, a quiz, or similar games and events.
10. To patronise the club, one had to be either a member or a guest of a member. To become a member prospective candidates had to be nominated by existing members, and the committee made the final decision as to whether nominated candidates could become members.
11. Despite this entry criteria, there is limited evidence before me to suggest that individuals who lived in the community and expressed an interest to join the club were routinely denied nomination or final acceptance by the committee. Indeed, the signage at the front says, 'New Members Welcome.' Interested parties also gave evidence at the hearing regarding non-members using / hiring the club for one off meeting space or events.
12. While membership to the club was required, and in the absence of substantive evidence to suggest otherwise, I conclude that local residents in the community would have legitimately been able to join the club in the majority of cases. Once a member, individuals would be able to make use of the social and recreational environment creating a sense of community inclusion and cohesion among its membership. I therefore conclude that the appeal site meets the definition of a community facility and service.
13. In coming to this finding, I have had regard to the content of the Winkfield Parish Neighbourhood Plan 2022 ("the NP"). I note that figure 9.1, 'Community Buildings

in Winkfield, January 2022' of the NP, omits the appeal site from this list and the Parish Council did not object to the appeal.

14. Although it is not clear in evidence why the appeal site is absent from figure 9.1 of the NP, at the time of adoption of the NP the appeal site had already been acquired by County Homes Thames Valley Ltd and had been vacant for some years, therefore it was not, at that point in time, making a contribution to community life.
15. However, and despite that, it has not been robustly shown that the list within the NP is exhaustive. I have found the site to be a community facility and service for the reasons I have set out above and its exclusion from figure 9.1 of the NP does not outweigh my overall considerations on this point.
16. I also note the presence of other community facilities and services in the locality, however, there is no upper limit on how many of these may serve a community. That said, I appreciate that in later years the club struggled, and it is agreed between the main parties that the club, in its final guise, did not provide a valued function to the community. In such cases there is a requirement to show that all reasonable efforts have been made to retain a community use on the site and that there is no realistic interest in the retention of a community use. This includes evidence to confirm that the site has been actively and positively marketed for a minimum of one year¹.
17. In this case the appeal site was marketed through a number of methods, this included internet websites, a 'for sale' board erected at the site, and targeted marketing to a list of potential buyers. While the 'for sale' board remained outside the site for over a year, the evidence shows that all online marketing was withdrawn after approximately 5 weeks, in addition details of the targeted marketing are vague. Furthermore, some of the enquiries received are marked as unknown, and the completion of the sale occurred before the site had been marketed for one year.
18. Setting the marketing period to one side, the sales particulars are broad, but I am satisfied that community uses would not have been dissuaded from making an offer at face value of the marketing details. Indeed, one offer was made by Winkfield Parish Council. However, this was not accepted by the vendor.
19. I appreciate that things have moved on since May 2020, and the Parish Council may no longer require this site, but at that time of marketing, the evidence shows that the Parish Council wanted to acquire the site. This would have been for its grounds maintenance team while also providing a parish office, council chamber, and a community room. The details regarding the grounds maintenance team are limited and it has not been shown how such a use would meet the definition of a community service or facility. However, a parish office, council chamber and community room would serve the community.
20. Tying all these considerations together, I have found that there was realistic interest in the retention of a community use on the site via the Parish Council. Even if I am wrong on this point, details regarding targeted marketing and enquiries are vague, the online marketing presence was only live for approximately 5 weeks, and an offer was accepted within 2 months of marketing starting, with

¹ Footnote 75 of the Local Plan

completion before the expiry of one year. This does not therefore meet the 'meaningful period' test set out in Policy LP 44 and fails to demonstrate active and positive marketing.

21. It is suggested that Bracknell Town Centre is identified as a destination for leisure activities and the appeal site does not sit within the town centre. However, it has not been clearly shown that this would override the need for existing local community facilities and services to be protected. As indicated above, active and positive marketing is required to demonstrate that there is no realistic interest in retaining a community service or facility on site.
22. For similar reasons, some community uses may struggle to be profitable at this site, however, community uses comprise a range of social, recreational and cultural facilities and services. It has not been robustly shown that all community uses need to be run in a commercial manner or that changing social behaviours alongside local demographics with the existing level of provision would lead to a lack of demand for the same.
23. I also note that limited objections were received in relation to the loss of the community use and some letters of support were received. I have taken these into account, nonetheless, active, and positive marketing is required to reasonably show that there is no realistic interest in retaining a community service or facility on site. Consequently, these other considerations have limited bearing on my overall conclusions on this main issue.
24. As a result, I cannot be satisfied that all reasonable efforts have been made to retain a community facility or service on the site and that there is no realistic interest in the retention of the same. The proposal would therefore conflict with the relevant provisions of Policy LP 44 of the Local Plan. This, amongst other things, aims to ensure all reasonable efforts have been made to retain community uses. I ascribe substantial harm to this conflict with the Local Plan.

Character and Appearance

25. The appeal site comprises a single storey gable fronted building with a further floor of accommodation in the roof space. It is surrounded by hardstanding which serves as the parking and access areas for the club. To one side of the appeal site a block of three terrace, two storey dwellings, can be found and these are known as Westfield Cottages. The appeal site also sits near to Winkfield Row Conservation Area but is not within it.
26. The existing character of the immediate area is defined by a tight grain of development around the junction of Chavey Down and Winkfield Row. Development is broadly linear within the locality although there are exceptions to this. Development form and architectural language of properties in the locality varies with terrace properties sitting amongst detached and semi-detached dwellings. The Don Beni restaurant sits at the junction forming a natural focal point of the village.
27. Building heights within the local area are broadly similar although there is some modest variation, this includes the relationship between Spring Cottage and Bramble Cottage, as well as The White Cottage and its neighbours. Furthermore, while set behind some landscaping and facing away from the road, the properties known as Paddocks End, Little Willows and Fairways are also of greater height

and have some visibility within the streetscape albeit reduced due to their setback, orientation, and boundary screening.

28. Existing window sizes also differ, and this includes some variation in upper floor window sizes of the street facing elevation of Westfield Cottages, as well as The White Cottage with its immediate neighbours, and the Methodist Chapel and its neighbours. Gable features of varying types also occasionally appear in the street scene such as the Methodist Chapel and Lavendar Cottage. These features are infrequent, but the variation creates local interest to the existing character of the area adding to the charm, individuality, and identity of this locality.
29. The proposed development at Plot One would incorporate a roof which moderately steps up higher than the terrace of dwellings at Westfield Cottages. It would also incorporate a gable facing front feature above the first-floor front window and the proposed first floor front window would be larger than those currently at Westfield Cottages.
30. Some of these design features depart from the established character of Westfield Cottages, however, this is not without merit. Indeed, and as I have indicated above, there is some variation evident in the local streetscape already and these moments of diversity are important to this particular locality when experienced within the existing urban fabric.
31. Plot One as proposed would have limited separation at ground floor from Westfield Cottages, due to an existing single storey side extension at No 3. However, the proposed first floor and roof would enjoy more spacing. The appeal scheme would also take some of its proposed design features, such as materials, siting, and eaves height from the established character of Westfield Cottages.
32. Parts of Plot One would partially depart from the existing character of these Cottages but this is important as it responds to the pockets of variation I have identified. This includes the occasional modest fluctuations in roof height, window design and gable features nearby, as well serving to transition in height and design to the adjacent dwellings Paddocks End, Little Willows, and Fairways.
33. Development should create a sense of place which is sympathetic to local character whilst not preventing or discouraging appropriate change. These pockets of diversity paired with the transitional nature of the appeal site would reflect the distinctiveness of the local streetscape.
34. Overall, this speaks positively to authenticity and unifies the public realm without slavishly enforcing uniformity. In coming to this finding, I have taken account of the nearby Conservation Area, however, given I have found the proposed development would be acceptable on character and appearance grounds, by extension, I do not consider it would have an unacceptable impact on the nearby Winkfield Row Conservation Area.
35. In considering the forgoing, I have found that the identity and individual distinctiveness of the local area would be protected. Furthermore, as the development would be broadly infill in nature it would not result in any wider absorption into the Bracknell urban footprint. Finally Plots Two and Three would be set back within the site with a reduced visual impact, as such they would also be sympathetic additions to the locality.

36. In conclusion on this main issue, the design and height of the proposed development would appropriately integrate into the street scene. It would not be incongruous and accordingly its effect on the character and appearance of the area would be acceptable. The proposed development complies with the relevant provisions of Policies LP 28 and LP 50 of the Local Plan and Policies W1 and W2 of the NP. These, amongst other things, look to promote attractive, high-quality design which responds to local distinctiveness and legibility of place.

Living Conditions

37. A ground floor flank window at 3 Westfield Cottages faces onto the appeal site. This window serves an open plan kitchen diner lounge area. Plot One would be sited close to this window with side access to the rear garden of Plot One passing this window.
38. During my site visit I entered No 3 and noted the open nature of the kitchen diner lounge area. I also observed a much larger bay window which serves the room and faces onto Chavey Down Road. In addition, the existing club building extends to the side and rear of the garden area of No 3.
39. The proposed development would improve the outlook to the rear of No 3 by removing the existing club building which sits prominently to the side and rear boundary of the garden. While there would be some harm to the flank window of No 3, this would be moderated by the presence of the other considerably larger primary bay window which serves the kitchen diner lounge area. This primary window would not be harmfully affected by the proposed development and would retain an acceptable outlook for this open plan room.
40. The addition of a compatible residential use would also lead to an improvement in respect of privacy and activity at No 3 and I conclude that any limited harm which may occur from the future occupiers of Plot One passing this secondary window to access their garden would be outweighed by the removal of the club building and the improvements to the rear outlook.
41. Plots Two and Three would be well separated from the windows and gardens of Westfield Cottages. This separation distance would ensure acceptable living conditions for the occupiers of these cottages.
42. Concluding on this main issue, the proposed development would have an acceptable effect on the living conditions of existing residential occupants with particular reference to privacy and outlook. The proposal would therefore comply with the relevant provisions of Policies LP 28 and LP 50 of the Local Plan. These, amongst other things, address the need for high quality design for the living conditions of residential occupiers. In coming to this finding, on this main issue, I have also taken into account the Design Supplementary Planning Document 2017.

Other Considerations and Conclusion

43. The main parties agree that the Council has a 4.49-year housing land supply. This represents a shortfall, and the contribution of three family dwellings on a previously developed windfall site would make some contribution to reducing this shortfall.
44. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. In addition, the removal of the existing building and extent of hardstanding would

enhance the character and appearance of the area while making effective use of land in a settlement area near to a bus stop. There would also be some reduction of vehicular activity on site and improvements to the rear outlook for one existing occupier.

45. Economic benefits would also be generated during the construction phase and the appellant proposes to incorporate sustainable construction in accordance with Policy LP 55 of the Local Plan. The dwellings would be suitable for family occupation and future occupiers of the development would be likely to use and contribute to services and facilities in the community. The dwellings would be accessible and adaptable with cycle parking. The development would also improve the biodiversity value of the site.
46. I place significant positive weight on these benefits when considered cumulatively and in their totality.
47. The development would not cause harm to the existing character and appearance of the area, or unacceptable harm to the living conditions of the users of neighbouring properties. It would also mitigate its impact on the Thames Basin Heath Special Protection Area, and public open space and facilities through the provision of an acceptable legal agreement. These, however, in themselves amount to an absence of harm and are therefore neutral considerations.
48. The development would, however, be contrary to policy in the development plan which looks to ensure that all reasonable efforts have been made to retain community facilities and services. These facilities and services play an important role in developing and maintaining community inclusion and cohesion. This appeal has not reasonably shown that there is no realistic interest in the retention of this community use and as such, the development would conflict with the development plan as a whole. I ascribe substantial weight to the harm that would be caused by this.
49. Consequently, I find that the adverse impacts of granting permission for the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The proposal does not therefore benefit from the presumption in favour of sustainable development.
50. The appeal scheme would conflict with the development plan when taken as a whole and for this reason the appeal should be dismissed. There are no other material considerations of sufficient weight to indicate a decision should be made contrary to this conclusion.

N Praine

INSPECTOR

ANNEX A: APPEARANCES

FOR THE APPELLANT:

Mr Iain Taylor - Progress Planning, Agent.

Mrs Petrina Froud - Kempton Carr Croft, Financial Viability Expert.

Mr David Short - County Homes Thames Valley Ltd, Appellant.

FOR THE LOCAL PLANNING AUTHORITY:

Miss Shelley Clark - Senior Planning Officer, Case Officer.

Miss Sarah Horwood - Principal Planning Officer, Case Officer.

INTERESTED PARTIES (denoting those persons who took part in the hearing and whose names were recorded):

Mr Duncan Cole – Local Resident.

Councillor Tony Virgo – Ward Member.

Mr Phil Norton – Local Resident.

ANNEX B: DOCUMENTS ACCEPTED BEFORE THE HEARING

HD1 - Signed and dated legal agreement.

HD2 - Email trail from May 2020 between Bracknell Forest Council and Winkfield Parish Council.

HD3 – Bracknell Forest Housing Land Supply (HLS) calculation as at 1 April 2025.