



Appeal Decision

Site visit made on 1 August 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 September 2025

Appeal Ref: APP/R0335/W/25/3365535

7 York Way, Sandhurst GU47 9DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act (as amended) for development of land without complying with a condition subject to which a previous planning permission was granted.
 - The appeal is made by Mr D Godvindasami against the decision of Bracknell Forest Council.
 - The application Ref is 24/00655/FUL/RFULZ.
 - The application sought planning permission for the erection of a single storey side and rear extension to expand the existing Dental Practice (D1) at 7 York Way, Sandhurst GU47 9DE without complying with condition 6 attached to planning application Ref: 21/00743/FUL/RFULZ that was granted planning permission through appeal Ref: APP/R0335/W/22/3298866.
 - Condition 6 states that no more than 32 patients shall be permitted to attend the dental practice for treatment in any single day of the week.
 - The reason given in appeal decision Ref: APP/R0335/W/22/3298866 for condition 6 was to ensure the development does not lead to an over proliferation of on-street parking.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey side and rear extension to expand the existing Dental Practice (D1) at 7 York Way, Sandhurst GU47 9DE in accordance with the terms of the application, Ref 24/00655/FUL/RFULZ, without compliance with condition 6 previously imposed on planning permission Ref 21/00743/FUL allowed at appeal Ref APP/R0335/W/22/3298866 and subject to the conditions set out in the attached schedule.

Background and Main Issue

2. Planning permission was granted through appeal decision Ref APP/R0335/W/22/3298866 to extend the dental practice and increase the number of consulting rooms from 4 to 6. The site has 8 parking spaces, which is 4 spaces fewer than what is required by the Council's 2016 Parking Standards SPD for 4 consulting rooms. The planning permission was granted as it was demonstrated that the proposal would not increase staff or patient numbers. As part of this, the previous Inspector attached condition 6 to restrict patient numbers to 32 per day to reflect the stated patient numbers at that time, and to help prevent against over proliferation of on-street parking in the nearby streets arising from the numbers of patients using the surgery.
3. The appellant contends that condition 6 on the extant planning permission does not reflect the number of patients that use the surgery, or what is set out in the NHS

contract of 24,761 patients per year. Consequently, it is alleged that the extant parent planning permission cannot be implemented, as it would significantly reduce the numbers of patients that are already using the surgery.

4. The Council object to this proposed change as they are concerned it would result in an increase to patient numbers, which would then increase demand for on-street parking near to the site that would lead to unacceptable exacerbation of parking issues to the detriment of highway safety. Therefore, the main issue is the effect of the proposed development on local parking conditions and highway safety.

Reasons

5. The appeal site comprises a dental surgery with dedicated parking accessible from York Way. The building also houses a first-floor flat. The area is mostly residential, with some on-street parking available on nearby roads. The site is close to Sandhurst district centre, which offers shops, public car parks, and bus services.
6. Upon review of the evidence presented, I acknowledge that the surgery, as it is today, is likely seeing more patients than the daily limit of 32 specified in condition 6 of the parent planning permission. That said, I am not persuaded that the evidence before me conclusively demonstrates that the surgery is currently treating the full number of patients stated in the NHS contract, as is contended.
7. The information available in this regard is inconclusive and sometimes conflicting, without any documented evidence of patient appointment numbers provided to support the appellant's position. Some form of records should exist to confirm how many patients attend the surgery's four consulting rooms annually, but this data is not provided. Therefore, there is no substantiated evidence before me to confirm that the surgery at present sees 24,761 NHS patients each year. Moreover, the consequences of not meeting the NHS contract, or whether it instead acts more as a cap on appointments that can be seen if capacity allowed, remain unclear.
8. It is evident, however, that due to the covid pandemic there is a need to allow for cleaning periods required after appointments. This forms the principal rationale for the need for additional consulting rooms; to sustain the current patient volume while adhering to the enhanced cleaning protocols for dental practices. According to the appellant's evidence, these requirements make it unfeasible for the surgery to accommodate the average of 20 patients per room per day that would be required to meet the full NHS contract cap.
9. In the appellant's response to the Council's statement of case, the appointment time is stated to be 30 minutes, followed by a subsequent cleaning period of 15 minutes, which is different to the position presented at the last appeal. While there may be variations to this, as acknowledged in the appellant's submissions, I regard these to be a reasonable benchmark for evaluating the likely current average daily patient capacity when factoring in the current requirements for cleaning.
10. Applying these times to each consulting room, the estimated current patient throughput across four rooms would be around 40 per day, rather than the 78.4 per day that is stated as being needed to meet the full NHS contract cap within the practice's current opening hours. In this context, I find that the proposal to link a revised condition 6 to the numbers of patients to meet the full NHS cap, and / or alternatively 128 patients per day, would have the potential to result in a significant

increase in patient numbers that could attend the surgery each day, in conjunction with the additional space that the two additional consulting rooms would provide.

11. As the Council and various objections have set out, there are clear and demonstrable issues with parking in the area that require a careful approach to be taken, as was the case in the previous appeal, to the numbers of patients that the extended surgery could reasonably accommodate each day.
12. I have reviewed the transport evidence provided in support of the appeal. While I acknowledge the existence of sustainable transport and alternative parking options in the vicinity, the Highway Authority has identified outstanding concerns regarding the accuracy of both the TRICS data and the parking beat survey. The uncertainty surrounding the timing of the parking beat survey, and whether it is properly representative of the situation today, is a particular issue in terms of accurately assessing whether there is on-street capacity to reasonably absorb the full NHS contract numbers alongside the sustainable transport options identified. Consequently, I find that the submitted transport evidence does not sufficiently demonstrate that the local transport network can accommodate the total NHS contract patient numbers without resulting in a significant adverse impact on highway conditions, particularly with respect to on-street parking.
13. The appellant has also proposed revising condition 6 so that only 4 of the 6 rooms could be used for appointments at the same time during working hours. However, I am not convinced it would effectively maintain current patient numbers as robustly as a specific patient cap would. The reason being is that referring to the number of rooms may inadvertently allow for an increase in patient numbers, since having more rooms means appointments could be scheduled and rotated across four operational rooms, with less time required for cleaning between uses. This arrangement could, therefore, allow for significantly more patients to be seen at the same time than is possible across the current fixed four room arrangement.
14. While I do not find the appellant's proposed amendments justified for the reasons stated, I am satisfied that a modest increase to 40 patients per day is acceptable based on my assessment of the evidence before me. As was identified by the previous inspector, and as observed on my site inspection, there is some limited on-street capacity available. Along with the sustainable transport options that exist, I am therefore satisfied that 40 patients per day would not lead to any materially harmful change to parking issues and conditions in the area. Although this amendment differs from the one requested, I consider it an appropriate modification that reasonably responds to the appellant's valid concerns regarding the need to maintain the existing situation before they can implement the proposal, but with due regard to the evidence before me, including impact on the local highway network.
15. In conclusion, the evidence before me does not support condition 6 being revised to reflect the full NHS contract patient numbers, as this would have the potential to significantly increase patient numbers and result in adverse impacts on the highway network. However, I am satisfied that the evidence before me supports a modest change to the specified patient numbers from 32 to 40 per day without leading to a materially harmful exacerbation of parking issues in the area, in accordance with Policies LP25 and 62 of the Bracknell Forest Local Plan 2020-2037 and Paragraph 116 of the National Planning Policy Framework (the Framework).

Conditions

16. I have included the conditions previously imposed, albeit with a revision to condition 6 to change the numbers of patients that use the surgery from 32 to 40 patients per day, for the reasons explained in this decision. I have also revised condition 1 to make clear that the timeframe for implementation remains the same as the parent permission, in accordance with PPG Paragraph:014 ID:17a-014-20140306.

Other matters

17. I recognise that objections have raised concerns about noise and pollution. However, there is no information before me that indicates I should reach a different conclusion to the Council on these other matters.

Conclusion

18. For the reasons given, and considering all matters raised, the proposed development, with the proposed revisions to conditions I have set out, is considered to accord with the development plan as a whole, and the appeal is allowed.

N Perrins

INSPECTOR

Schedule of Conditions:

- 1) The development hereby permitted shall begin not later than the expiration of 22 November 2025 following 3 years from the date when planning permission was granted for planning application Ref: 21/00743/FUL through appeal Ref: APP/R0335/W/22/3298866.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: L_1543_90 Rev A (Proposed Site Location Plan); L_1543_91 Rev A (Proposed Block Plan); L_1543_102 Rev B (Proposed Ground Floor Plan); L_1543_103 Rev A (Proposed First Floor Plan); L_1543_121 Rev A (Proposed Elevations); L_1543_122 Rev A (Proposed Elevations); and L_1543_131 Rev A (Proposed Sections).
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building unless otherwise specified on the approved plans.
- 4) No part of the development hereby approved shall be occupied until the vehicle parking spaces have been laid out in accordance with drawing L_1543_102 Rev B (Proposed Ground Floor Plan). The parking spaces shall be kept clear of obstruction and retained solely for the use of parking of vehicles in connection with the development thereafter.
- 5) No part of the development hereby approved shall be occupied until covered cycle parking facilities have been provided in accordance with details to be submitted to and approved by the Local Planning Authority. These facilities shall be kept available for cycle parking thereafter.
- 6) No more than 40 patients shall be permitted to attend the dental practice for treatment in any single day of the week.