



Appeal Decision

Site visit made on 8 October 2025

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2025

Appeal Ref: APP/R0335/W/25/3365284

Cherry Tree Cottage, Lovel Lane, Winkfield, Windsor SL4 2DG

- 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 Miss Naveenat Sahota against the decision of Bracknell Forest Borough Council.
 - The application Ref is 24/00463/FUL.
 - The development proposed is demolish existing bungalow, garage and shed. Construct new dwelling with ground floor with inbuild garage and loft with rear dormer & front dormers.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies and the effect on the openness of the Green Belt; and
 - the effect of the proposal on protected species.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. The appeal site lies within the Metropolitan Green Belt. Policy LP34 of the Bracknell Forest Local Plan 2020 – 2037 (LP) confirms that proposals for development in the Green Belt will be assessed in accordance with national Green Belt policy. Paragraph 154 of the National Planning Policy Framework (the Framework) states that development in the Green Belt is inappropriate unless it falls within a number of specified exceptions.
4. The exception at Paragraph 154(d) can permit replacement dwellings where they are not materially larger than the existing one. The Council suggests that the volumetric increase would be over 100% and, in this case, that the proposal would be substantially larger in that regard. However, Paragraph 154(g) allows for limited infilling or the partial or complete redevelopment of previously developed land (PDL), provided the development would not cause substantial harm to the openness of the Green Belt.
5. The appeal site occupies a generous plot on Lovel Lane, within a semi-rural setting, influenced by scattered residential development. It is not within an

identified 'Green Belt Village' as designated in the development plan. Therefore, I am satisfied it is not within a built-up area, and as it has been developed with a dwelling previously, it can be considered PDL.

6. The site is enclosed by mature landscaping comprising tree cover and hedgerows, including vegetation that screens the site from the road. The site adjoins other residential plots and garden land, with no direct interface with open agricultural fields. The dwelling is set back from the road and accessed via a private driveway, with only partial visibility through gaps in the vegetation. During summer months, when trees are in leaf, the site would be more heavily screened.
7. Openness in Green Belt terms encompasses both spatial and visual dimensions. Visually, the proposed dwelling would be larger and taller than the existing bungalow, introducing a consolidated two-storey form. However, due to the enclosed nature of the plot, the presence of established vegetation and limited public vantage points, the visual impact on openness would be modest. The dwelling would be glimpsed only in passing from Lovel Lane and would not appear as a conspicuous or intrusive feature in the wider landscape.
8. Spatially, the replacement dwelling would be materially larger in volume. The proposed building would occupy a revised footprint and adopt a more compact, vertically oriented form compared to the existing elongated bungalow. Whilst it would not replicate the orientation or shape of the original structure, its siting would remain broadly central within the plot and would not extend built form into previously undeveloped areas. The removal of ancillary outbuildings would further temper the overall spatial impact.
9. Taken together, I find that the proposal would result in a moderate adverse effect on openness. This would not amount to 'substantial harm' for the purposes of Paragraph 154(g) of the Framework. As such, the development falls within the exception for redevelopment of previously developed land and does not constitute inappropriate development in the Green Belt. The proposal therefore accords with the Framework, Policy LP34 of the LP and Policy W1 of the Winkfield Parish Neighbourhood Plan 2022 – 2037 (NP).

Protected species

10. Policy LP53 of the LP requires that development proposals retain, protect, enhance and buffer ecological features, and provide for their appropriate management. Similarly, Policy W8 of the NP seeks to ensure that habitats and species are safeguarded.
11. The appeal site comprises a detached bungalow in a state of disrepair, accompanied by outbuildings and mature landscaping. These features, particularly the roof structure, soffits and weathered materials, may offer suitable roosting opportunities for bats. The site's semi-rural location, with connectivity to surrounding green corridors and tree cover, further increases the likelihood of bat activity.
12. A preliminary ecological appraisal and roost assessment was undertaken in June 2024. It recommended that bat emergence and re-entry surveys be carried out during the active bat season to confirm the presence or likely absence of roosting bats. Bats are a European Protected Species, and their protection is governed by the Conservation of Habitats and Species Regulations 2017.

13. Despite the appraisal's recommendation, no emergence or re-entry survey has been submitted with the application or appeal. In the absence of this evidence, it is not possible to conclude that the proposed development would avoid harm to protected species or comply with the relevant legal obligations.
14. National guidance is clear that the presence or otherwise of protected species, and the extent to which they may be affected by development, must be established prior to the grant of planning permission. It is therefore inappropriate to defer such survey work to a planning condition, as this would prevent all relevant ecological considerations from being addressed at the decision-making stage.
15. For these reasons, it has not been demonstrated that the proposed development would avoid adverse impacts on protected species or their habitat. Consequently, the proposal conflicts with Policy LP53 of the LP and Policy W8 of the NP as set out above.

Planning Balance

16. Whether or not the replacement dwelling would be 'self-build', the proposal would make a broadly neutral contribution towards housing supply. While the Framework places emphasis on boosting the supply of homes, the development would replace an existing dwelling with a larger one, rather than delivering an additional unit. Although the scheme would provide a larger home, there is no substantive evidence before me to demonstrate a specific local need for the scale or type of accommodation proposed. This consideration therefore attracts only limited weight in favour of the proposal.
17. The development would generate short-term economic benefits during the construction phase, including employment and investment in the local supply chain. However, given that the proposal involves the replacement of an existing dwelling rather than a net increase in housing provision, the long-term economic and social benefits would be modest. This factor also carries limited weight.
18. Weighing against the benefits is the conclusion that it has not been demonstrated that the proposed development would avoid adverse impacts on protected species or their habitat, and the proposal therefore conflicts with Policy LP53 of the LP and Policy W8 of the NP. The proposal may comply with certain policies contained in the development plan, but given the harm that I have identified, the proposal conflicts with the development plan when taken as a whole.
19. The Framework requires planning decisions to protect and enhance biodiversity. Given that the policies that I have identified are consistent with this aim of the Framework, I apportion significant weight to the policy conflicts and associated harm that would be caused by the proposed development. Consequently, I find that the adverse impacts of the scheme would outweigh the scheme's benefits.

Conclusion

20. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

K Reeves INSPECTOR