

Appeal Decision

Site visit made on 25 July 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 September 2017

Appeal Ref: APP/X0360/W/17/3173465

Culverwood House, Shinfield Road, Reading, Shinfield RG2 9BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs P Philips against the decision of Wokingham Borough Council.
 - The application Ref 162495, dated 2 September 2016, was refused by notice dated 26 October 2016.
 - The development proposed is a new detached dwelling with attached garage and associated external works within the curtilage of Culverwood House.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant details above are taken from the planning appeal form.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area in terms of the loss of protected trees.

Reasons

4. The site of the proposed house in the back garden of Culverwood is centred between mature and semi-mature trees including individual specimens and those within a group, many of which are protected by Tree Preservation Orders. The Council raises no objection to the direct impact of the development on the isolated trees surrounding the proposal, and which would be retained. Its concern lies with the removal of the group of trees at the bottom of the garden which are protected by an Area Tree Preservation Order.
 5. The Council refers to the impact of the loss of the trees on the Shinfield Road which runs past the front of Culverwood and which is designated as a Green Route. From this Green Route I saw the canopies of the large, isolated trees in the back garden of Culverwood. However, because of the distance of the group of trees proposed for removal from the road and the substantial fall in the land, they presently make very little contribution to the sylvan character of the Green Route. I appreciate that many of the trees in the group may not have reached their mature height. However, given their disposition from the Green Route, where the trees and planting closer to the road make more contribution, the effect of the development on the Green Route would be limited.
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6. Notwithstanding this, the group contributes significantly to the sylvan appearance of the back gardens of this and neighbouring plots and the distinctly verdant setting of the houses. The appellants have identified two of the Ash trees in this group as being in poor health and which should be removed. There is no evidence to counter this. The development would require the removal of a small section of the tall hedge on the side boundary as well as the removal of two small hedges towards the rear boundary, behind the group of trees. These elements of work would not prejudice the amenity value of the group of trees or the sylvan character of the area.
7. The group contains Ash and Cypress trees, with their trunks, as the appellant points out, extremely close to one another. The branches of the Cypress trees obscure the shape of the Ash trees between them and they obscure the trunks, and the light between them. This effect diminishes the contribution of the Ash trees to the character of the area. In this light, I am not convinced that the loss of the Cypress trees would diminish the value of the group of trees as a landscape feature.
8. However, while some of the Ash trees proposed for removal have been classed in the appellant's Tree Survey as category C, many have been described as category B, being semi-mature specimens, with the majority being in good health and with many years of life remaining. In the arboreal setting surrounding the group, the stature, height and texture of the Ash trees reflect the larger, deciduous trees nearby. They reinforce the sylvan setting of the surrounding area and its leafy character. Their loss would harm the character and appearance of the area.
9. The Council points out that the opportunity for replacement planting would be limited and the appellants suggest that the tree loss can be mitigated by a soft landscape scheme. I have considered a condition for replacement planting, but I cannot be sure that there would be sufficient space for new trees. A soft landscape scheme would not mitigate the harm which would result from the loss of the protected Ash trees.
10. I have taken into account the development to the south of the site allowed under appeal¹ in 2005 which included the removal of protected trees. However, in that case the most important protected trees were retained, three houses were provided and the ecological value of a pond enhanced. In this case, which would provide only one house, most of the trees in the group on this site would be removed and with no particular justification. The proposal would be accessed by connecting to the access drive which already runs past the recent development of houses. While this would reduce the effect of the development on the character of the area, it would not outweigh the harm resulting from the loss of protected trees.
11. I conclude that as a result of the loss of protected trees as identified above, the proposed development would harm the character and appearance of the area. It would therefore fail to accord with policies CP1 and CP3 of the Core Strategy 2010 and policies CC03 and TB06 of the Managing Development Delivery Local Plan 2014. These promote sustainable development that maintains or enhances the high quality of the environment, resist inappropriate development of residential gardens and seek development which has no detrimental impact on important landscape features and which protects and retains existing trees.

¹ Appeal ref: APP/X0360/A/04/1163570

Other Matters

12. The Council raises no objection to the principle of the development of a house on the site, its appearance, or its impact on the living conditions of surrounding occupiers. The development would introduce some overlooking of neighbouring back gardens but given the separation distances, the sizes of the surrounding plots and the degree of boundary planting and mature trees, the degree of overlooking and the impact on the outlook of surrounding occupiers would not be harmful. The proposal would provide sufficient on-plot parking and there is no substantive evidence that it would create a highway risk or cause flooding.
13. The amount of hard surfacing in the proposal would be limited. Subject to a landscaping scheme I identify no conflict from this element of the proposal with the flora on the site largely laid to lawn, and the landscape character surrounding the site which includes terraces and areas of hardstanding. The hedge on the southern boundary would be partly opened-up in the proposal, and the south-facing rooms in the proposed house would have supplementary windows to the east or west. The back garden would have access to east and west light. I am not convinced that there would be unsustainable pressure to reduce or remove the remaining protected trees surrounding the proposal, and I find no harm in this respect.

Conclusion

14. Whilst the development would provide a modest benefit of one additional house to local housing supply, this is outweighed by the unacceptable harm it would cause to the character and appearance of the area resulting from the loss of protected trees, which is in clear conflict with the policies of the development plan. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR