

Appeal Decision

Site visit made on 30 November 2021

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th December 2021

Appeal Ref: APP/X0360/D/21/3278004

29 Rectory Road, Wokingham RG40 1DP

- 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 Mr Ainsley Hawkins against the decision of Wokingham Borough Council.
 - The application Ref 210258, dated 27 January 2021, was refused by notice dated 21 May 2021.
 - The development proposed is the erection of a detached double garage in the front garden.
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Decision

1. The appeal is dismissed.

Procedural matter

2. A new version of the National Planning Policy Framework was published on 20 July 2021, after the date the appeal was submitted. The revised Framework does not significantly alter my assessments in this appeal. I am satisfied that no parties have been prejudiced by my having regard to this change in national policy.

Main issue

3. The main issue is the effect of the proposal on the character and appearance of the local area, including the impact on a lime tree protected by a Tree Preservation Order (TPO).

Reasons

4. This part of Rectory Road is characterised by large houses set back from the street within generously sized plots, behind walls, hedges and trees. These trees are a particular feature of the street, giving it a green, leafy character. No 29 is fairly typical of the area, with a high brick wall at the front of a wide plot and a substantial lime tree at a front which is protected by a TPO. The lime is rightly assessed by the appellant's tree report to be a Category A tree (of high quality and value, in such a condition to make a substantial contribution to the site aesthetics).

5. The proposal is to build a detached double garage in the front garden, between the lime tree and the house. The tree report indicates that this would be sited wholly within the root protection area for the tree. The report recommends a technical solution to avoid damage to tree roots, with a raised structure supported above ground level on specialised piles. It emphasises that under no circumstances should any excavation be made to install the support beams.
6. No site levels survey or sections have been provided to show how this would work in detail. It is evident from comparison of the tree report and the current site conditions that the gravel parking area has recently been extended further into the site for the proposed garage, reducing ground levels within the root protection area. The tree report estimated that the rise in levels within this area was about 220mm so excavations may have approached that sort of depth. This may have already caused some damage to tree roots.
7. The suggested technical solution in the tree report would critically rely on best practice in all aspects of the development, but even then would inevitably cause some degree of harm to the tree. In the current circumstances and in the absence of any revised tree report or levels details, it appears likely that building a substantial structure within the root protection area would cause significant harm to the tree. Due to the importance of this tree, any damage that reduces its vigour or life expectancy would harm the character and appearance of the local area.
8. The Council's Supplementary Planning Document *Borough Design Guide* (BDG) advises that garages should not be sited in front gardens or forward of the building line. The proposed garage would be sited well to the front of the house, in conflict with this guidance. There are a few other garages in front gardens on Rectory Road, but most of these are set further back from the street. The most notable example is next door at No 27A. This is a similar structure but the proposed garage at No 29 would be set further forward and would have a full gable end rather than a hipped roof as at 27A. As a result, it would be much more prominent in the street scene, introducing a harder built form to this frontage and detracting from the more open, verdant character.
9. I conclude that the proposal would harm the character and appearance of the local area due to the siting and design of the garage building and its impact on the TPO lime tree. The proposal therefore conflicts with the aims of Core Strategy Policy CP3, Managing Development Delivery Local Plan Policy CC03 and the BDG, to protect existing trees and to secure high quality design appropriate to the character of the area.
10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR