

Appeal Decision

Site visit made on 15 September 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2022

Appeal Ref: APP/R0335/D/22/3300675

Park House, Trinity Place, Bracknell RG12 2GQ

- 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 Juan Anido against the decision of Bracknell Forest Council.
 - The application Ref 20/00295/FUL, dated 16 April 2020, was refused by notice dated 22 March 2022.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The appellant submitted a set of new documents with the appeal, including a revised tree report, specialist foundation details and a tree protection plan. The Council was given the opportunity to comment on this additional/revised information but did not do so. I have taken the submitted documents into account in this decision.

Main issue

3. The main issue is the effect of the proposal on the character and appearance of the local area, in terms of any effects on 2 oak trees protected by a Tree Preservation Order (TPO).

Reasons

4. Park House is a recently constructed 2 storey detached house with 2 impressive, mature oak trees in its garden. These were retained when the house was built. The trees can be seen from various vantage points within the area and make an important contribution to local character and appearance, providing a verdant setting for the buildings. The submitted tree reports confirm that they are considered to be of high quality and value and should make a substantial contribution for at least 40 years. Other trees included in the TPO are farther away and would not be significantly affected.
5. The canopies of the 2 oak trees overhang parts of the house and most of the garden. As referenced in the submissions, a recent appeal (APP/TPO/R0335/7700) for pruning and crown lifting of these trees was

dismissed due to concerns about harm to the trees' visual quality. I note that lesser tree works have been approved by the Council though apparently these have not yet been implemented.

6. The appeal proposal is to add a single storey extension at the back of the house, with a flat roof and a roof lantern. The tree report submitted with the appeal shows that the development would only encroach onto a reasonably small percentage of the trees' root protection areas. It recommends the use of specialist foundations and other tree protection measures. I note that the trees' rooting zones have already been encroached on by the construction of the house and that the Council has some strong concerns about the way the works were carried out, including some raising of levels, which could affect the trees health in the longer term. Nevertheless, I find that the small additional encroachment proposed here could potentially be carried out without significant harm to the trees - if carefully implemented fully in line with the recommendations of the tree report. The proposal could therefore be acceptable in this respect.
7. As demonstrated by the previous appeal, however, there is already pressure to cut back some of the branches and lift the trees' crowns. The appeal proposal would bring the house further under their canopies, narrowing the separation between trees and building significantly. Although the extension could physically fit under the branches, this does not sufficiently reassure me that the proposal would not create a strong need to prune branches in the future due to factors including the close physical relationship with the dwelling and overshadowing – especially bearing in mind the long potential life of these trees.
8. Such tree works would potentially harm the trees' form, visual quality and health, undermining their substantial contribution to local character and appearance. I recognise that any such works would require consent from the Council, but when exercising that control in the future, the Council would have to take into account the existing situation including the presence of the appeal extension.
9. I conclude that although the proposal could with sufficient care and specialist methods be carried out so as to avoid significant physical harm to the 2 protected oak trees, it would increase pressure to carry out harmful works to the trees in future, to the detriment of the character and appearance of the local area. The proposal therefore conflicts with the shared aims of policies EN1 and EN20 of the Bracknell Forest Borough Local Plan, policy CS7 of the Core Strategy Development Plan, Policy EV4 of the Bracknell Town Neighbourhood Plan and the National Planning Policy Framework (especially paragraph 131), to secure high quality design that is in sympathy with the appearance and character of the local environment including through the protection of trees.
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