



Appeal Decision

Site visit made on 17 October 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th November 2024

Appeal Ref: APP/E0345/D/24/3345630

18 Richmond Road, Caversham, Reading RG4 7PP

- 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 Mr J Deasy against the decision of Reading Borough Council.
 - The application Ref is 240309.
 - The development proposed is erection of a detached car port.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached car port at 18 Richmond Road, Caversham, Reading RG4 7PP in accordance with the terms of the application, Ref 240309, and the plans numbered 01224-01, 01224-02, and 01224-03, subject to the following conditions:
 - 1) Unless within six weeks of the date of this decision a scheme for landscaping is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within the first planting season (September to March) following the local planning authority's approval, the use of the development shall cease and all equipment and materials brought onto the land for the purposes of the development shall be removed until such time as a landscaping scheme is approved and implemented.

If no landscaping scheme in accordance with this condition is approved within six months of the date of this decision, the use of the development shall cease and all equipment and materials brought onto the land for the purposes of the development shall be removed until such time as a landscaping scheme approved by the local planning authority is implemented.

Upon implementation of the approved landscaping scheme specified in this condition, the scheme shall thereafter be retained. Any trees or plants which, within a period of five years from the date of implementation, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Preliminary Matters

2. The description of the development is taken from the application form insofar as it describes development.
3. The application was submitted retrospectively, and the application form states the development was completed on 22 January 2024. On my site visit, I observed that the carport has been constructed in accordance with the submitted plans. I have therefore considered the appeal on the basis of the submitted evidence and my own observations of the development.
4. It is the Council's position that a fence that has been erected between the carport and the Richmond Road frontage is unauthorised. Along with an area of hardstanding, it is the subject of planning enforcement investigations. Neither the fence nor the hardstanding form part of the appeal scheme, and it is not for me as part of this Section 78 appeal to determine their lawfulness. I have, however, considered the scheme on the basis that there is uncertainty over whether the fence and hardstanding will endure in the longer term.

Main Issues

5. The main issues are:
 - the effect of the development on the character and appearance of the area, and
 - the effect of the appeal scheme on the nearby protected Lime tree.

Reasons

Character and appearance

6. Richmond Road comprises detached dwellings of various heights and styles. The appeal property is a bungalow which, like other nearby properties, is setback from the road behind a large forecourt. There is considerable variety in the frontage boundary treatments along the street, which include low walls and railings, and fencing and hedging of mixed heights.
7. The carport is situated to the front of the host property, and it is therefore observable from Richmond Road. However, it is significantly lower in height and width than the host bungalow and its footprint is modest when compared to the large size of the forecourt. Consequently, the development is subordinate to No 18 and does not detract from the primacy of the dwelling when viewed from the street.
8. The structure has a relatively discrete appearance when approaching from the Albert Road junction due to its open face and the backdrop of tall, mature trees and street foliage. Moreover, given that the carport is not significantly taller than the existing boundary fencing, its side and rear elevations are largely screened from views along Richmond Road.
9. There is no guarantee that the existing boundary fencing along the road frontage would be retained. However, on my site visit I observed that planting is becoming established between the carport and the fencing, which exceeds the height of the development. The leafy foliage on the appeal site serves to conceal most of the development from view, whilst also contributing positively to the verdant character of the street. Therefore, even if the fencing were to

be removed or replaced, the carport would not be unacceptably exposed in public viewpoints. Moreover, whilst some properties nearby have low boundary walls, the planting is similar in height and style to the other tall, hedged frontages that are prevalent elsewhere along the street, and are an established part of its character.

10. Given that details of the landscaping could be secured through condition, I see no reason why the existing planting could not be retained and enhanced so as to improve the overall appearance of the development. Once the planting is fully established, the development would be well-screened from public vantage points and there would be no undue harm caused to the street scene.
11. I note the concerns raised by third parties regarding the absence of other similar structures on Richmond Road. On my site visit, I observed a metal carport was present in the forecourt of 19 Richmond Road, and there is a large outbuilding fronting the street near its junction with Albert Road. Whilst I cannot be certain as to the full circumstances that led to these structures becoming established, they form part of the street scene and there is no evidence before me to indicate they are likely to be removed. Nonetheless, I have not found the development to cause harm to local character. Therefore, that frontage outbuildings are the exception rather than the norm has not been determinative to my decision.
12. Overall, I conclude that the development does not cause harm to the character and appearance of the area. Therefore, there is no conflict with Policies CC7 and H9 of the Reading Borough Local Plan (Adopted November 2019) (LP) which, taken together, expect development to respect, maintain and enhance the character and appearance of the area.

Protected tree

13. The development has been constructed close to a Lime tree that is the subject of a Tree Preservation Order (TPO). The tree is large with dense foliage. Due to its height and width, the tree is prominent in views from Richmond Road, and it contributes positively to the verdant character of the street scene.
14. Although no technical documents were provided with the application to set out the method of groundworks, the Council does not dispute that the development was constructed using appropriate precautionary arboricultural methods or that the tree roots were retained.
15. On my site visit, which took place many months after the development was completed, I observed that the tree stood tall and was in leaf, with broad canopy coverage. Moreover, I have not been provided with any substantive evidence to indicate that the Lime tree has come to harm as a result of the development. Therefore, based on the evidence and my own observations, the tree has not been harmed. It follows, that the scheme has complied with a key objective of the Reading Borough Council Tree Strategy (March 2021), which is to ensure the retention and protection of trees using good arboricultural practice.
16. I conclude that the development has not caused harm to the protected Lime tree. Therefore, there is no conflict with Policy EN14 of the LP, which requires trees to be protected from damage or removal where they are of importance.

Conditions

17. The Council suggested a condition to require the development to be carried out in accordance with the approved plans. I am satisfied that the development has been constructed in accordance with the submitted plans and therefore a plans condition is unnecessary.
18. I have imposed a condition requiring details of landscaping to be submitted. This condition is required to protect the character and appearance of the area. It has a strict timetable for compliance because permission is being granted retrospectively, and it is not possible to use a negatively worded condition to secure the approval and implementation of the scheme. The timetables incorporated into the conditions will ensure the development can be enforced against if the requirements are not met.

Conclusion

19. The proposal is in accordance with the development plan and the material considerations do not indicate a decision should be made otherwise than in accordance with it. Therefore, for the reasons given above the appeal should be allowed.

E Catchside

INSPECTOR