



Appeal Decision

Site visit made on 26 February 2025

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th March 2025

Appeal Ref: APP/N0410/D/24/3342203

Cotswold Lodge, 17 Westfield Road, Beaconsfield, Buckinghamshire HP9 1EF

- 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. Rob Machin against the decision of Buckinghamshire Council - South Area (South Bucks).
 - The application Ref is PL/23/3855/FA.
 - The development proposed is the erection of a carport.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a carport at Cotswold Lodge, Beaconsfield, Buckinghamshire HP9 1EF in accordance with the terms of the application, Ref PL/23/3855/FA, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Duckworths Arboriculture Ltd BS:5837 Tree Protection Plan Ref:17 WESTFIELD ROAD TPP 06324/ 2024 R1; Carport Floor and Roof Plan; Carport Elevation Drawings; Carport Site Plan; Carport Floor and Roof Plan; Carport 3D Views.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. Carport Elevation Drawings.
 - 4) The development hereby permitted shall be carried out in accordance with the Arboricultural Method Statement detailed in section 3 of Duckworths Arboriculture Ltd Arboricultural, Appeal Statement dated March 2024 and as shown on Duckworths Arboriculture Ltd BS:5837 Tree Protection Plan Ref:17 WESTFIELD ROAD TPP 06324/ 2024 R1.
 - 5) Tree planting and maintenance shall be carried out in accordance with the details in section 4 of Duckworths Arboriculture Ltd Arboricultural, Appeal Statement dated March 2024 and shown on Duckworths Arboriculture Ltd BS:5837 Tree Protection Plan Ref:17 WESTFIELD ROAD TPP 06324/ 2024 R1.
 - 6) No development shall take place until the tree protection fencing as detailed in Duckworths Arboriculture Ltd Arboricultural, Appeal Statement dated March 2024 Annex G – Tree Protection fencing and as shown on Duckworths Arboriculture Ltd BS:5837 Tree Protection Plan Ref:17

WESTFIELD ROAD TPP 06324/ 2024 R1 has been erected thereafter the fencing shall be retained for the duration of construction works.

Main Issue

2. The main issue is the effect of the appeal scheme on the adjacent Douglas Fir Tree, that is subject of a Tree Preservation Order (TPO).

Reasons

3. Policies EP3 and L10 of the South Bucks District Council Local Plan seek, amongst other matters, to protect the character and appearance of the area and specifically trees.
4. That the proposed car port is located within the root protection area of the adjacent Douglas Fir Tree that is protected by an area TPO is not at dispute between the parties.
5. The appellant submitted a new arboricultural report¹ that identified the tree Douglas Fir as being of "impaired structural form and declining physiological health" and that the earlier arboricultural report² "was not accurate in its measurements and assessment of the quality of the trees on the site".
6. The new report identifies the condition of the tree as being C as a result of being topped (cut) at 12m is therefore at risk of decay, resulting in side branches now assuming vertical growth, an asymmetrical gappy crown and loss of branches and ultimately a life expectancy of less than 20 years.
7. I note that the earlier assessment identified the Douglas Firs as being A1, but noted that Ivy prevented a full inspection and recommended the removal of the ivy and reinspection.
8. I saw at the site visit that the tree is a prominent and pleasant feature in the local area, alongside many other trees in private gardens. Moreover, I noted the various factors referred to by the second arboricultural report submitted by the appellant. On this basis I am satisfied that the new report accurately grades the tree as C.
9. The appellant identifies that the proposed carport is a lightweight structure that will have a limited effect on Douglas Fir, requiring the pruning of a single branch and otherwise leaving a gap to the tree sufficient that there will not be pressure for future pruning works. Furthermore, the proposed car port will only occupy a small proportion of the root protection area and the use of a porous parking surface will limit any harm. Finally, additional tree planting is proposed to maintain the existing visual amenity benefits in the long term.
10. For the reasons detailed above I am satisfied that the appeal scheme would not result in significant direct or indirect harm to the Douglas Fir tree, that is reasonably assessed as being in category C, and would not lead to its loss. Furthermore, the additional tree planning proposed by the appellant will secure the visual amenity benefits of the trees on the appeal site in the long term, thereby maintaining the positive character and appearance of the area.

¹ Duckworths Arboriculture Ltd Arboricultural Appeal Statement dated March 2024

² GHA Trees Arboricultural Consultancy

11. I therefore find that the appeal scheme is not contrary to the provisions of Policies EP3 and L10 of the South Bucks District Council Local Plan that, amongst other matters, seek to protect the trees and the character and appearance of the area.

Conditions

12. In imposing conditions, I have considered the tests in the Framework and the advice in the Planning Practice Guidance. In order to define the permission, I have included conditions relating to the life of the permission and the approved plans. In the interests of the character and appearance of the area I have included a condition to control the external appearance of the carport. Furthermore, to protect the existing trees and to secure the planting of new trees proposed by the appellant I have included conditions requiring the compliance with the details of the submitted arboricultural appeal statement.

Conclusion

13. For the reasons given above the appeal should be allowed.

Mr M Brooker

INSPECTOR