



Appeal Decision

Site visit made on 29 September 2025

By G Powys Jones FRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2025

Appeal Ref: APP/E0345/D/25/3369443

16 Jefferson Close, Emmer Green, Reading, RG4 8US

- 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 & Mrs N Langdon against the decision of Reading Borough Council.
 - The application Ref is PL/25/0167.
 - The development proposed is a single storey rear extension and internal alterations.
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Decision

1. The appeal is allowed, and planning permission is granted for a single storey rear extension and internal alterations at 16 Jefferson Close, Emmer Green, Reading, RG4 8US in accordance with the terms of the application, Ref PL/25/0167, subject to the conditions set out in the accompanying Schedule.

Preliminary matters

2. The appeal property is a detached, brick-built, relatively modern dwelling in a cul-de-sac with a well-designed layout wherein the attractive landscaping, which includes a variety of trees and shrubs, is maturing and is well maintained. Many older mature and semi-mature trees are evident both within and on the peripheries of the cul-de-sac, and some are protected by Order. This is a pleasant development on the northern fringes of Reading in a verdant setting.
3. The appellants wish to erect a single storey rear extension. The Council has no objection to the design or materials proposed and nor does it consider, subject to safeguards, that neighbouring living conditions would be harmed. I share its view on these aspects. Its concerns centre on the effect of the proposed development on an oak growing in the back garden. The oak is protected by Order¹.

Main Issue

4. The main issue is the effect of the development on a protected tree.

Reasons

5. Policy EN14 of the Reading Borough Local Plan (LP) provides that individual trees, groups of trees, hedges and woodlands will be protected from damage or removal where they are of importance, and the supporting text to the policy says that:

¹ As part of Order 73/003 which protects 21 trees and 2 groups.

'The Council will seek to ensure that appropriate measures are secured for the successful protection of trees, in line with good practice, where retained as part of development proposals...'

6. The appellants were clearly aware of the importance attached to the protection of this tree by the Council because they appointed a firm of arboriculturists at the outset. This firm was familiar with the site since they were also involved in providing advice on an earlier development involving the construction of an outbuilding at the end of what is an L-shaped garden. This was granted planning permission last year and was in place when I visited.
7. A report was prepared which provides an assessment on the age and condition of the tree, and makes recommendations on foundation design, since the building would affect part of the Oak's root protection area (RPA). The report also contains recommendations for the tree's (and other trees') protection during the construction period.
8. The report was subject to scrutiny by the Council's inhouse specialist who produced a lengthy and detailed response to consultation, relying principally on the advice and guidance provided in BS5837². The main concerns related to possible root damage during the construction period and how that would likely affect the tree's future. Equal concern was raised at the prospect of the Council receiving future requests to prune the tree, since part of the canopy projected towards and over the proposed extension.
9. Both parties agree, as do I, that the incursion into the oak's RPA would be minor. Contrary to normal practice the appellants do not intend to use conventional foundations, but having regard to the proximity of the protected oak will instead use block and beam foundations set upon screw piles, which in my experience is a tried and tested methodology in such circumstances. The required shallow excavations would be hand dug. The treatment of any significant roots exposed during the excavation would be under the supervision of an attendant arboriculturalist, rather than left to the general workforce, who may well be unqualified in these matters. Having regard to the minor nature of the incursion and the tree protection measures otherwise proposed, I am satisfied that this is an acceptable way forward.
10. The Council's concern that it is likely to face future applications to prune the tree is, to my mind, justified, given that branches in the lower canopy would be adjacent to the extension, which would have substantial glazed areas. However, this has to be set against the general condition of the tree having regard, in particular, to past 'works' to it. In this respect the tree is accurately described in the accompanying tree report as having a below average physiology and an indifferent structure, and its physical condition is described in the following terms, having regard to past works:

'Many occluded, partially occluded and unoccluded pruning wounds on trunk indicative of crown lifting and thinning; epicormic growth on internal branches suggestive of reduced physiological condition; asymmetrical canopy to S; notably reduced shoot extension lengths and slightly sparse bud density in apical extents..'

11. The effect of past works to the tree is that it is not a particularly attractive oak specimen in visual terms, and although it is protected, it is barely seen from outside

² BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction (2012), BSI.

the site in the public realm and contributes little to general amenity. Further selective pruning at low levels, if such applications were made and granted, would in my view have little impact on the tree's health, or its contribution to the general amenity of the area.

12. I note the comments made by the Council in respect of improving the health of the tree and the contribution made by trees generally to the environment. In this respect however I noted the level of new planting which had already taken place at the site along its boundaries, which is a welcome balancing contribution.
13. I conclude that the appellants have put in place appropriate measures for the oak's protection, in line with good practice. Accordingly, I find no conflict with those provisions of policy of LP policy EN14 directed to protect trees such as the oak from damage or removal during development.

Conditions

14. It is necessary that the development is carried out in accordance with the approved plans, and a condition to this effect is therefore imposed in the interests of certainty. A condition in respect of materials is imposed in the interests of visual amenity.
15. The Council has suggested the imposition of further conditions relating to the removal of permitted development rights and the use of the extension's roof. I agree that such conditions are needed in the interests of protecting neighbouring living conditions.
16. I shall impose a further two conditions to protect the oak. The first to ensure that the works carried out are implemented in accordance with the recommendations of the appellant's arboriculturalist. The second to provide the opportunity for a Council officer to be present on site, should it be considered expedient, to inspect the initial stages of the construction work, in particular, the limited excavation within the tree's RPA.

Other matters

17. All other matters raised in the representations have been considered, including the references to the *National Planning Policy Framework*, but no other matter is of such strength or significance as to outweigh the considerations leading to my conclusions.

G Powys Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: the site and block plans and drawing Ref Nos: FD/452/624-Rev A; FD/452/624-Rev B & FD/452/624-Rev C.

- 3) Save where otherwise specified in the application documentation, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted) Development Order 1995, or any order revoking and re-enacting that Order, no openings other than those shown on the approved plans shall be formed.
- 5) The roof of the extension hereby permitted shall not be used as a balcony, roof garden or for general amenity purposes.
- 6) All works of excavation and other safeguards with respect to the protection of trees and their roots shall be undertaken in accordance with the recommendations contained at Appendices 2 & 4 of the document entitled Arboricultural Implications Report by SJA Trees dated February 2025.
- 7) Not less than 14 days before the commencement of any excavations the appellants shall provide written notice to the Council of their intention to commence excavations and shall allow access to the Council to the site to inspect the works of excavation as they progress.