
Appeal Decision

Site visit made on 21 October 2025

by **H Smith BSc (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 November 2025

Appeal Ref: APP/W0340/W/25/3367065

Church Lodge, Church Road, Aldermaston, Reading, West Berkshire RG7 4LT

- 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 James Leonard against the decision of West Berkshire Council.
 - The application Ref is 24/01136/FUL.
 - The development proposed is described as “provision of new 3-bay oak framed garage with office accommodation above, located 6m away from the grade II listed Church Lodge.”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was accompanied by a listed building consent (LBC) reference 24/01137/LBC. However, the Council deemed an LBC was not required as the proposed works would not physically alter the listed building. Therefore, this appeal relates to the application ref: 24/01136/FUL only.
3. During the application process, a new Tree Preservation Order (TPO) was signed and sealed by the Council. This is order number 201/21/1081. It covers four individual trees (including those immediately affected by this appeal proposal) and the area of trees in the west of the appeal site, as shown in appendix A of the Council's statement of case. I have therefore taken this into consideration when determining this appeal.
4. The Council adopted the West Berkshire Local Plan Review 2023 – 2041 (Local Plan) on 10 June 2025. The application Ref 24/01136/FUL was determined against the policies within the West Berkshire Core Strategy 2006 – 2026, which has now been replaced by the newly adopted Local Plan. However, the Council referred to the new Local Plan policies in its statement of case submitted during the appeal. Therefore, no parties would be prejudiced by my reference to these new policies in my appeal decision.

Main Issues

5. The main issues are:
 - whether the proposal would fail to preserve the special historic interest of a Grade II registered park and garden and harm its significance; whether it would harm the significance of the Grade II listed dwelling by reason of its impact on its setting, with particular regard to trees.
 - the effect of the proposal on the health of the nearby trees.

- whether sufficient information has been submitted to establish if the proposal forms part of the established residential curtilage of the site.

Reasons

Impact on designated heritage assets

6. The proposed development would be located within the setting of a Grade II listed building, known as Church Lodge, a two-storey dwelling situated on Church Road. According to the listing description, Church Lodge is a former entrance lodge dating from 1848. It is constructed from red brick with grey brick diapering and stone dressings with a slate roof. Architectural features include a large brick chimney stack with 4 shafts, decorative brick diapering, stone mullioned windows, and canted bay with battlemented parapet. Although a modern single-storey extension has been added to the building, its overall historic appearance and form are generally retained.
7. For the purposes of this appeal, the special interest and significance of Church Lodge primarily stem from its historical and architectural interest as a former entrance lodge. It is also derived in part from its age, historic fabric, structural characteristics, and its historical relationship with Aldermaston Court estate.
8. The immediate setting in which Church Lodge is experienced includes its substantial private rear garden and Church Road to the front. The land extending beyond the rear garden forms part of the registered park and garden in which the listed building is both experienced and appreciated. These elements collectively reinforce the rural context and historical function of the former entrance lodge and contribute to its special interest and significance.
9. Additionally, the appeal site is within the Aldermaston Court Registered Park and Garden (RPG), designated at Grade II. The RPG extends for some 70 hectares and contains Aldermaston Court, a Grade II* listed building and the principal building of the Aldermaston Court estate. The grounds of the RPG include a large lake, lawned areas, and extensive areas of mature woodland, with a variety of tree species, including large, mature yews. The trees on site positively contribute to the landscaped, wooded character and appearance of the RGP. Yew trees, in particular, provide a fundamental component of the landscaping palette in both the historic pleasure grounds and the formal gardens.
10. For the purposes of this appeal, the significance of the RPG relates to its overall layout and history, mainly of the mid and late 19th century gardens surrounding the former manor house, with the remains of the 17th and 18th century pleasure grounds and deer park.
11. The proposed development would be situated within the setting of the Grade II listed Church Lodge and within the RPG. The Council has expressed concerns regarding the proximity of the proposal to mature trees and established planting, with particular emphasis on the potential loss of a mature yew tree (T001).
12. The appellant's Tree Data Spreadsheet categorises T001 as a Category B tree with a life expectancy of around 40 years, having a good physiological and structural condition and a height of 17m. During my site visit I observed that this yew tree is a reasonably well-formed and visually appealing specimen, forming part of a small, distinct group of mature trees. It makes a clear contribution to the

character of the RPG, as yew is a species traditionally associated with designed landscapes. Its age confers historic value, and its location, adjacent to both the RPG boundary and Church Road, and within the setting of Church Lodge, further enhances its significance. In this context, the tree possesses considerable historic and amenity value.

13. During my site visit, I noted that the lower portion of the tree is obscured from the road by a brick boundary wall and hedging. However, the upper section, including the crown, remains visible from the road and in certain views from within the RPG to the south of the appeal site. From the west, the tree is largely screened by the crowns of neighbouring trees. As such, while the tree contributes to the verdant character of the RPG and the historic setting of the listed building, its visual prominence is moderate.
14. Nevertheless, the loss of this tree would result in harm to these designated heritage assets. It likely forms an integral component of the designed landscape, contributing to its historic character, spatial composition and visual coherence. Its removal would erode the authenticity and integrity of the historic design, disrupt established views, and diminish the aesthetic quality of the site.
15. As a mature specimen, the tree also plays a vital role in framing the scale and setting of the listed building, providing both visual structure and historical context. Its removal would therefore constitute a notable degree of heritage harm, contrary to the statutory duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (Act), particularly Sections 16 and 66, which require decision-makers to have special regard to the desirability of preserving the setting of listed buildings.
16. Although the remaining trees in the group would be retained, the group's overall composition and landscape character would be weakened by the loss of this individual tree. Its removal would therefore constitute a notable degree of heritage harm, contrary to the objectives of the National Planning Policy Framework (Framework), which seeks to conserve elements that contribute to the significance of designated heritage assets.
17. The appellant indicates that a replacement yew tree would be planted to mitigate the loss of T001. However, a replacement yew tree would not justify the removal of the existing mature specimen because it cannot replicate the historic, aesthetic, and contextual value of the original tree. The mature tree contributes to the significance of the RPG and the setting of the listed building through its age, scale, and integration into the designed landscape. A new planting would take decades to reach comparable maturity and would not restore the immediate loss of heritage value, nor preserve the authenticity and integrity of the site.
18. It is also proposed to plant two native fruit trees within the garden, a Plum and Damson. Although a planning condition could secure the type of tree species, this would not justify the removal of the existing mature specimen due to the reasons given above.
19. The appellant suggests that the proposed garage building would be screened from view by the site's boundary brick wall and the existing laurel hedging, which would be retained but tidied up around the proposed garage. However, this would not mitigate the harm caused by the loss of the mature yew tree for the reasons explained.

20. Accordingly, I conclude that the proposal would fail to preserve the special historic interest of the RPG, would adversely affect the listed building by reason of its impact on its setting, and would cause harm, albeit less than substantial, to the significance of both these designated heritage assets. To my mind, this is towards the middle of the range of less than substantial harm in each case.

Effect of the proposal on nearby trees

21. As explained above, the proposal would result in the loss of a mature yew tree (T001). This would result in the historic, visual and ecological significance of the tree being lost, and would fragment and erode the tree group in which it sits.
22. The proposal would also require pruning and cut back of two other mature trees (T002 yew, and T003 sycamore). The Council is concerned that there would be continued pressure for crown reductions of these two trees, which could cause repeated stresses and energy demands upon them, in terms of loss of photosynthesising area, defensive responses, callusing of wound, as well as acting as potential sites of pathogen attack. There is no substantial evidence before me to suggest that these trees would not be subjected to such pressures. Consequently, I consider that there would be inadequate space between the proposed development and these trees for harm to be avoided.
23. The potential for root damage to T002 and T003 is acknowledged within the appellant's evidence. However, the appellant indicates that the proposed hardstanding surface extending into the root protection area of any existing trees would be no more than the current hardstanding in the area and less than the recommended British Standards. Indeed, the appellant's Tree Impact Assessment Plan, drawing no 12074, states that the new hardstanding surface would be located at a distance of 3m from T002, which is 2.5m beyond the BS 5837 recommended minimum distance of 0.5m. It also sets out an appropriate methodology for installing hard-surfacing over the root protection areas.
24. Additionally, the root protection area of a mature sycamore tree (T019) is referred to in the plan. However, less than 2% of the root protection area of T019 would be affected, which is minimal. As such, based on the evidence before me, I am satisfied that the proposal would not result in root damage to T002, T003 or T019. Nevertheless, this does not overcome my concerns above.
25. Consequently, the proposal would result in the loss of a yew tree (T001) and the harm to the long-term retention of trees T002 and T003. As such, the proposal would fail to accord with Policies SP8, SP10, DM12 and DM15 of the West Berkshire Local Plan Review 2023 – 2041 (adopted June 2025) (Local Plan). Collectively, these policies seek to ensure development conserves and enhances trees.

Residential curtilage issue

26. The Council is concerned that the proposed development would be located on land that is outside of the established residential curtilage for Church Lodge, and that no certificate of lawfulness has been applied for seeking to establish that this land would form part of the lawful residential curtilage of the site.
27. I appreciate that a planning application granted approval by the Council in 2018 included amendments to the landscape to create a new residential curtilage which

did not include the area where the development is proposed. However, curtilage is not the same as the planning unit or a use of land. Instead, it is enough that it serves the purpose of the house in some necessary or reasonably useful way.

28. In this instance the land in question is adjacent to the house and its access. In addition, the appellant submitted Certificate A with the planning application. This indicates that the applicant is the sole owner of the application site. The Council has not questioned this claim, and I see no reason to doubt it either.
29. Furthermore, the appellant asserts that the existing small outbuilding adjacent to T001 on the site is connected to Church Lodge via electricity and water supply. They also reference an area of hardstanding that, over time, has become obscured by vegetation and soil. Additionally, they point to a pedestrian access route depicted on a 1911 map, showing a clear path from a boundary gate to the front entrance of Church Lodge. Although this map is not before me, I did see the boundary gate referred to on site.
30. Based on the evidence before me and my observations on site, I agree with the appellant, that the area in question has clearly functioned as part of the residential curtilage of Church Lodge for some time, containing utility serviced structures and pedestrian access consistent with long-established domestic use.
31. Consequently, I am therefore satisfied that sufficient information has been provided which adequately demonstrates that the appeal site is within the residential curtilage of Church Lodge. An ownership certificate has been completed, and the proposal is before me, which I have assessed against the information submitted by the parties and the observations from my site visit. For these reasons, I conclude that the appeal is valid and can be determined on its own merits.
32. I do not consider Policy DM26 of the Local Plan to be relevant to the appeal, as this policy relates to extensions of residential curtilages in the countryside, which is not applicable to this case for the reasons explained. Accordingly, I find no conflict with Policy DM26 for this matter.

Other Matters

33. The Parish Council and Historic England have not raised objections to the proposal. However, these are neutral considerations and do not alter my decision.
34. Reference has been made to previous permissions 21/02294/FULD (The Cedars School), 22/00322/HOUSE (Cobblers), and 22/00329/HOUSE (Cherry Cottage). However, the full details of these previous permissions are not before me. I am therefore unable to make any direct comparisons to the appeal proposal. In any event, I have determined this appeal on its own merits.
35. Concern has been raised regarding the timing of the Tree Preservation Orders being placed on the appeal site. I also note the appellant's concerns with the Council's handling of the application and the lack of site visits. Nevertheless, these matters are for the Council and do not alter my findings on the main issues.
36. The appellant has included maps in their evidence, including a map taken from the Ancient Tree Inventory website. Whilst this map does not show the trees on the appeal site being tagged as Trees of National Special Interest, it does not suggest that they have no cultural or historical significance.

Public Benefits and Balance

37. The Framework states that great weight should be given to the conservation of heritage assets, as they are an irreplaceable resource. It adds that any harm to the significance of designated heritage assets should require clear and convincing justification. Moreover, if less than substantial harm is caused to the significance of any such asset, that harm should be weighed against the public benefits.
38. The proposal would result in economic benefits during the construction phase. It would also support sustainable living by enabling home working and reducing travel.
39. However, the continued viable use of Church Lodge as a residential dwelling is not dependent on the proposal as the listed building has an ongoing residential use that would not cease if the appeal was to fail and the development was not implemented. In these respects, the identified harm to the significance of the designated heritage assets has not been clearly and convincingly justified as required by paragraph 213 of the Framework.
40. On balance, in giving considerable importance and weight to the harm to the significance of the designated heritage assets, I find that this would not be outweighed by the small public benefits arising from the proposal.
41. Accordingly, I conclude the proposal would fail to preserve the special historic interest of the registered park and garden, would adversely affect the Grade II listed building by reason of its impact on its setting, causing less than substantial harm to the significance of each of these designated heritage assets. It would therefore fail to satisfy the requirements of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also conflict with Policies SP7, SP8, SP9, SP10, DM10, DM12, DM15 of the Local Plan. Collectively, these policies seek to ensure development conserves and enhances heritage assets, including their setting, and positively contributes to local distinctiveness.

Conclusion

42. For the reasons given and having regard to all other matters raised, I conclude that the proposed development would be contrary to the development plan when taken as a whole. There are no material considerations to suggest a decision other than in accordance with the development plan and therefore the appeal is dismissed.

H Smith

INSPECTOR