



Appeal Decision

Site visit made on 16 February 2026

by D Marley BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2026

Appeal Ref: APP/T0355/W/25/3375031

306 Dedworth Road, Windsor SL4 4JR

- 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 Jasreen Bhandal against the decision of Royal Borough of Windsor and Maidenhead.
 - The application Ref is 25/02193.
 - The development proposed is detached garden room.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address from the appeal form, as this more accurately describes the site.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, with particular regard to trees.

Reasons

4. The end of the rear garden at 306 Dedworth Road ('No 306') is close to a Hornbeam and Silver Birch located in an adjoining garden. These trees are not subject to a Tree Preservation Order ('TPO'). The appellant's Arboricultural Impact Assessment & Method Statement ('AIA') identifies that both trees are of reasonable height, with the Hornbeam in good structural condition with a useful life of at least 20 years. There is existing hardstanding at No 306 which is identified as being of a depth of up to 300mm. The appeal site is located in a residential area, with the Hornbeam visible from public viewpoints along Gallys Road in gaps between built development, and both trees visible from private viewpoints in residential rear gardens.
5. Given their overall height, and visibility from either public viewpoints or from private rear gardens, the Hornbeam and Silver Birch act to soften the built form and provide a verdant backdrop to the residential area. By doing so, both trees make a positive contribution to the visual character of the area. This contribution will be greater when the trees are fully in leaf, however by their presence both trees nevertheless visually break up built development in winter months. Given the conclusions within the AIA with regards life expectancy and structural condition,

the Hornbeam in particular is likely to continue to positively contribute to the visual character of the area for a significant period of time.

6. The proposed development would introduce a garden room on the area of hardstanding at No 306. The garden room would be located within the Root Protection Area ('RPA') of both Hornbeam and Silver Birch. The AIA identifies that the existing hardstanding would be retained, with the objective of the retained hardstanding acting as ground protection for the trees. Although full details with regards foundation depth and associated construction methodology have not been submitted, the AIA further identifies footings would be required for the garden room which would likely be at a depth of approximately 1.55m.
7. Given the presence of hardstanding at No 306, I acknowledge that the garden of the adjoining property is likely more conducive to tree root growth. However, the AIA nevertheless acknowledges that tree roots may be present within the rear garden of No 306. Given the RPAs set out within the AIA, and in the absence of evidence to the contrary, I consider it likely that the roots of the identified trees are present within the identified RPAs in the rear garden of No 306. Whilst I acknowledge that the Hornbeam may be a relatively low water demand species, the root network of each tree would nevertheless contribute to the absorption of water and thus the overall health of both trees.
8. Although the proposal identifies that the hardstanding would be retained, it also identifies that footings for the garden room would likely be required at a greater depth than that of the hardstanding. Limited details are before me with regards the location or extent of foundations or footings, however given the identified depth the footings would be likely to require excavation below the hardstanding. Whilst the appellant makes reference to the potential use of NHBC foundations, of hand dig methods, shallow pad foundations, mini screw piles or a suspended/no-dig slab design, I have limited details before me as to how such construction approaches would be undertaken, the effect of such approaches on the conclusions of the submitted AIA nor the extent of excavation that may be required and thus the effect of such approaches on the identified trees. Whilst the trees may have adapted to existing ground conditions, on the evidence before me I consider it likely that the proposals would, regardless of soil conditions, require a degree of excavation within the root area of the two trees.
9. I acknowledge, given the limited extent of the Silver Birch RPA within the construction area of the proposed garden room, that the health of the Silver Birch would be unlikely to be affected by the proposed development. However, whilst the Hornbeam would not be physically removed as a result of the proposal, given the extent of development within the RPA excavation work associated with the proposed development would nevertheless be likely to affect a significant portion of its root network. This would be likely to affect the long term health of the Hornbeam and result in its deterioration, thus placing increased pressure for its future removal. Given this, it would not be appropriate in this instance to impose a condition securing details with regards future construction methods.
10. Therefore, as a result of my conclusions with regards the effect of the proposals on the appearance of the Hornbeam, the proposed development would adversely affect the contribution this tree makes to the character and appearance of the area.

11. I acknowledge that neither tree is subject to a TPO, nor is the appeal site located in a Conservation Area. However, these matters do not deprive the Hornbeam of value and thus the effect of the proposed development upon the character and appearance of the area. Equally, whilst I acknowledge that the crown of the Hornbeam could be sensitively managed, this does not overcome my wider conclusion on the main issue.
12. As a result of the above, the proposed development would cause harm to the character and appearance of the area, with particular regard to trees. The proposal would therefore conflict with the relevant provisions of Policy NR3 of the Borough Local Plan 2013-2033, which amongst other matters requires consideration to be given to the impact of a development proposal on trees, including those that make a particular contribution to the streetscape and local character.

Other Matters

13. I acknowledge that the proposal may be small and proportionate in scale, however this matter weighs neutrally in the overall balance, Whilst reference has been made to the potential benefits of the proposal, limited details have been provided. In any event, the primary outcome of the development, namely the provision of garden accommodation, is a private benefit to the appellant and this does not outweigh my conclusion with regards the harm arising from the proposal.

Conclusion

14. The proposal would conflict with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, the appeal should be dismissed.

D Marley

INSPECTOR