



Mr D White
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10 May 2023

Your contact is: Sarah Hanson, Planning, Development & Regulatory Services

Dear Mr White

**RE: PROPOSED WORKS TO TREES AT HEATHPOINT, UPPER WARREN AVENUE, READING -
SUBJECT TO TREE PRESERVATION ORDER NUMBER 319.**

Thank you for your application of 3 May 2023 with accompanying photographs, regarding the above, following our pre-submission discussions.

We discussed the proposed work at some length in advance to determine the work that warranted submission of a tree works application and to confirm which fell under the 'dead, dangerous' exemption.

Your application form helpfully includes all intended work and for clarity, the following are agreed to fall under the 'dead, dangerous' exemption:

- T1 Cherry: Fell.
Tree is dead, heavily leaning over the road and ivy-clad
- T2 Holly: Remove Southern (roadside) stem from main union of tree.
T2 has a very significant lean in the main stem so it is more like a cantilever than a tree. This long lever-arm, combined with the dense (heavy) canopy means there will be a significant amount of torque acting on the base of the stem and roots, which are anchored into poor quality ground (over a busy road and residential properties)
- T3 (twin-stem) Ash tree: Fell.
Tree is affected by 'ash dieback' to just above ground level (dying)
- T4 Beech: Reduce Southern (roadside) side of tree by approximately 2m in branch length to reduce weight acting on compression fork
Mature beech, main union (near base) is a tight compression fork and the Southern stem extends significantly over the road and adjacent property, significantly

weighted on a sub-par structural fork over a surprisingly busy road, would take down overhead cables and reach neighbouring property if and when it fails

- T5 Ash: Fell.
Tree is dead and hung up in adjacent beech tree, leaning towards the road
- T6 Beech: Fell
Tree is significantly leaning resulting in the entirety of the crown being off-centre from the base, meaning there is a large lever-arm overhanging a busy road and residential properties, anchored in extremely sub-standard ground
- T7 Sycamore - remove major deadwood

Under Section 206(1) of the Town and Country Planning Act 1990, a landowner is under a duty to replace a tree which is removed because it is dead or dangerous. The duty on the landowner is to plant another tree of an appropriate size and species at the same place as soon as he or she reasonably can.

In this case the Council would expect four replacement trees of a minimum 4-6cm girth and 2.1m high to be planted on the escarpment within the curtilage of Heathpoint in the planting season (Nov-March) following or at the time of felling, whichever is soonest.

Please ensure the replacement is agreed with the Council prior to purchase and planting.

We have had some discussion over replacement species for these already and you suggested some species via email. My thoughts in relation to those are as follows:

- *Acer campestre* - fine, good native, not too big, tolerant of lime (relevant here due to chalky escarpment), common understorey tree (so relevant here)
- *Sorbus aucuparia* - similar to above comments. However, we have experienced difficulty in recent years in getting this species to survive, hence it may be best to avoid this.
- *Corylus avellana* - fine (same comments as for *Acer*) however, it's a little small so perhaps only one of the replacements
- *Cornus mas* - not native so not appropriate here (I realise it has some wildlife value and elsewhere could be acceptable but not here, where I think it should be confined to natives).
- *Taxus baccata* - fine (same comments as for *Acer*) plus we know it survives here.

A mix of species would be preferable for diversity.

In relation to the work that does not fall under the 'dead, dangerous' exemption, I can confirm that the following proposed works, as detailed in your application, are approved subject to the conditions below:

- T7 Sycamore: selectively shorten limbs to ensure approximately 0.5-1m clearance to overhead cables
- G1: Crown raise roadside trees near No. 149 The Warren to ensure statutory heights over carriageway and pavement and clearance to overhead cables

Conditions

1. Five days' notice in writing shall be given to the Council prior to undertaking the approved works.

Reason: To ensure that the Local Planning Authority is given sufficient notice of the works to enable the effective monitoring of tree work within the Borough.

2. All tree surgery shall be in accordance with BS 3998: (2010) Tree Work - Recommendations.

Reason: To ensure that all works are carried out in an acceptable arboricultural manner

3. Climbing spikes shall not be used whilst undertaking any form of works on living trees, except on trees to be felled.

Reason: Spikes can cause extensive long-term damage

Informatives

1. You are advised that, in accordance with Part 4, 17 (4) of The Town and Country Planning (Tree Preservation)(England) Regulations 2012, this decision is valid for one pruning operation (as per the approved specifications) to be undertaken within two years from the date of this notice, after which the consent lapses and a new application will be required.

2. Removal of dead or dangerous wood: This does not require the formal consent of the Council. However written notice must be given 5 working days in advance of removing dead wood. Where a branch is deemed to be 'dangerous', i.e. where works are 'urgently necessary to remove an immediate risk of serious harm', you are required to give notice to the Council 'as soon as practicable after the works become necessary'.

3. Disturbance of wildlife: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb roosting bats or nesting birds. It is advisable to consult your tree surgeon/consultant to agree an acceptable time for carrying out any work. Wildlife and habitat controls are administered by Natural England who can be contacted on 0300 030 6000

4. It is best to avoid works in the period immediately before or during bud burst and leaf fall to minimise the effect on the long-term health of the tree

5. Tree work consents on land not owned by the applicant: It is strongly recommended that the owner of the tree be advised of any proposed works. The owner's permission must be sought if the tree works involve work past the boundary line. This consent does not in any way imply that this Council has informed the owner of sought permission or will condone the use of consents to force any landowner to grant such permission.

6. Removal of any dead or dangerous protected tree: This does not require the formal consent of the Council. However you are required to give 5 days notice of the work where it is not an emergency, to allow the Council to agree that the proposed works are exempt from requiring consent. The exception is where works are 'urgently necessary to remove

an immediate risk of serious harm', in which case you are required to give notice to the Council 'as soon as practicable after the works become necessary'.

Once felling of a dead or dangerous tree has been carried out, the owner has a duty under Section 201(b) of the Town & Country Planning Act to replant another tree of an appropriate size and species in the same place as soon as they reasonable can. This replacement tree will be covered by the existing Tree Preservation Order. The new tree would be subject to the same requirements for a tree works application if you intend to carry out works upon it in the future.

7. Crown lifting of trees over the footpath and carriageway: If the clearance of vegetation overhanging the highway only involves the removal of branches to give a ground clearance to the statutory heights of 2.7m over the footpath and 5.5m over the road, this does not require formal consent from the Council. You are advised, however, to give notice to the Council of these intended works in order that they can be agreed.

If you wish to appeal against any of the conditions attached to this consent, please contact the Planning Inspectorate within 28 days of receipt of this letter to obtain the relevant forms:

Trees and Hedges
Room 3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Telephone: 0303 444 5000

E-mail it to: treeandhedgeappeals@planninginspectorate.gov.uk

If you require any further assistance, please do not hesitate to contact me on the above number.

Yours sincerely

Sarah Hanson

Sarah Hanson
Natural Environment Officer

C.c. Mr Head, Heathpoint, Upper Warren Avenue