



Mr Jamie Passant
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4 April 2023

Your contact is: Andrei Nazare, Planning, Development & Regulatory Services

Dear Mr Passant,

RE: PROPOSED FELLING OF TEN POPLAR TREES AND TEN ALDER TREES AT IMPERIUM, IMPERIAL WAY, READING - PART OF AREA TREE PRESERVATION ORDER NUMBER 37/13.

Thank you for your application of 22 February 2023, regarding the above.

Further to my visit on 14 March 2023, I have e-mailed you requesting clarification on, or amendments to, the location plan initially provided and further details or evidence to support the proposed felling of all 20 trees. In response to my query, you have provided a supporting statement from T Grayshaw Arboriculture Ltd dated 28 March 2023.

Mr Grayshaw visited the site on 22 March 2023 to inspect the trees and his subsequent statement agrees with the amendments to the location plan and the trees' identification - hence the application was amended to its current form to '*felling of 10 Alder trees and 10 Poplar trees*'. Going further, as Mr Grayshaw did in his statement, I will refer to the trees' ID based on the amended location plan (appendix 1 of Mr Grayshaw's statement) and not the initial one submitted with the application.

Firstly, Mr Grayshaw states that all trees are growing in a narrow landscape margin which provides limited rooting environment. However, as it is acknowledged on page 3 of the same statement, the adjacent parking area is surfaced with porous block paving which, while not ideal, is permeable and will allow water and oxygen through. Furthermore, there are claims of root activity under this impacting the paving, implying that the rooting environment is not limited to the soft landscape strip. Therefore, the effective rooting environment is extended beyond the confines of the planting beds into the parking area.

Next, the statement discusses the condition of and maintenance outlook for 6 of the Poplar trees (T5-T10 and T17) which are growing near the neighbouring building to the north. No defects or immediate risk of failure have been identified by Mr Grayshaw for

any of these trees, but he points out the required regular pruning to maintain clearance to the building and the unbalanced crowns (weighted to the South). Mr Grayshaw states that this could be addressed by pruning the canopies to the South but warns of rapid regrowth and cuts being prone to decay in the future - hence it is implied that felling is a better option. While not ideal, maintenance pruning is a part of reasonable tree management in urban environments and is not considered a valid reason to fell a tree as it would lead to significant tree loss throughout the Borough. As noted above, clearance to buildings can be maintained via pruning and the unbalanced crowns issue can be addressed by pruning canopies to the South (albeit these works have not been applied for and no evidence is given that the current state warrants pruning to balance the canopies at present - a separate application will be necessary to obtain permission for this). It is considered that such pruning can be achieved within small pruning wounds hence the concerns about future decay are reduced. No evidence of current decay is provided, therefore this is seen as an issue to be wary of and observe in the future, but not as a reason to fell the trees now.

I agree with Mr Grayshaw's observation that the trees are not planted at even intervals and the high crown base levels both of which limit the screening function of the trees. This appears to be an opportunity to introduce new complementary planting to fill in the gaps pointed by Mr Grayshaw and to address the outstanding replacement planting (refer to Sarah Hanson's e-mail of 11 November 2019, which I attach for your convenience). It is, as such, not a valid reason to fell the trees, but an opportunity to plant more. In addition, it is important to retain these trees, even in the medium term, whilst other replacements are planted and establish to ensure continuous tree coverage on this boundary.

Please note that the above discussion relates to only 6 Poplar trees, meaning that specific reasons for felling the 4 other Poplar trees included in this application have not so far been provided. When assessing applications requesting permission to fell multiple trees, we must do so on an individual basis, as felling of some trees on a site does not justify felling of all of them for the sake of uniformity.

A brief statement and a photograph are provided in relation to the claim that root growth is causing damage and disturbance to the surface of the car park. However, neither the provided photograph, nor my observations from and photographs taken during my visit corroborate this claim. The block paving surfacing near the trees appears to be in good condition with only minor unevenness and is not considered a justification to fell the trees.

In relation to the condition of 5 Alder trees (T1, T11, T12, T18, T19), I agree with Mr Grayshaw's assessment and recommendation to fell these trees. These trees are either dead or dying (T1, T11, T12) and have a limited life expectancy and poor form (T18, T19).

I note that felling of T11 and T12 has also been agreed under previous TPO application ref. 221512 in December 2022 as part of the dead or dying exception. You do not need permission to remove a dead or dying tree but once felling of a dead or dangerous tree has been carried out, the owner has a duty under Section 206(1) 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.

In this case the Council would expect three replacement broadleaved trees of a minimum of 10-12cm girth and 3m high to be planted within Imperium Reading Offices curtilage in the planting season (Nov-March) following or at the time of felling, whichever is soonest. Please ensure the replacements are agreed with the Council prior to purchase and planting. This supersedes the requirement to plant replacements relating to 2 Alder trees attached to decision to TPO application ref. 221512.

No evidence relating to their condition is given to support the felling of the other 5 Alder trees (T13-T16, T20) but it is stated that they have been planted closely together and their stems and crowns are leaning and uneven. Based on my observations, I find the felling of T16 justified due to its suppressed condition (see annotated photo ID-ing the tree). I note that removal of T16, T18 and T19 (agreed to above) will thin out the group and, at least partially and temporarily, address the issue of their density, as such felling of T13, T14, T15 and T20 is not justified.

In conclusion, for the reasons discussed above, the following proposed works are refused:

- 10x Poplar trees (T2-T10, T17) - fell to ground - refused
- 4x Alder trees (T13, T14, T15, T20) - fell to ground - refused

I can confirm that the following proposed works are approved subject to the conditions below and with reference to the attached photograph:

- 3x Alder trees (T16, T18, T19) - fell to ground

For clarity and as part of the conclusion, please note that felling of 3 more Alder trees (T1, T11, T12) as part of the dead or dying exception was acknowledged in the discussion above.

With regards to the **Planting Plan Drg. No. CDG176-200 Rev R02** dated 1/9/2022, the following are noted:

This planting plan assumes that all existing Poplar and Alder trees are removed and provisions replacements in their place. However, as felling of all trees has not been approved (see conclusion above), this layout is not realistic and should be updated.

I can comment to the proposed replacement species, which are agreeable in principle. However, referring to the Council's Tree Strategy, please note that with each planting scheme we are aiming to meet the 30:20:10 ratio: no more than 30 percent of any one family, no more than 20 percent of any one genus and no more than 10 percent of any one species. While some deviation from this ratio is agreeable, we look forward to future planting schemes that adhere as close to it as reasonably possible.

We await an updated planting plan following the felling approved by this decision and also to address the outstanding replacement planting duty from previous instances (see attached e-mail of Sarah Hanson previously referred above) - note Informative 6 below.

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

4. Following the felling of the 3 Alder trees authorised by this consent, three broadleaved trees a minimum of 10-12cm girth and 2.75m tall (at the time of planting) shall be planted within the Imperium Offices curtilage, the species of which shall be agreed with the Natural Environment Team.

The trees shall be planted as close as possible to the removed tree's location, in order to replace the lost amenity, during the planting season (Nov-March) following or at the time of the felling of the tree, whichever is soonest.

Planting should be carried out in accordance with clause 10 (Planting) of BS 8545:2014 'Trees: from nursery to independence in the landscape - Recommendations'

Should the replacement tree be removed, die or become severely damaged or seriously diseased, all within 5 years of planting, it shall be replaced by a tree of a similar size and species to that originally planted. Modifications to the requirements of this condition must be agreed in writing with Reading Borough Council Natural Environment Team.

PLEASE NOTE: The requirement to replant is the responsibility of the tree owner even if the application was submitted by another person.

Reason: To retain the present visual amenity value of the area and ensure continuity of tree coverage.

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. 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.

5. 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.

6. For clarity, the replacement planting scheme referred to in this letter should cover all outstanding replacements required via previous applications, this current application and those required as a 'duty to replant' where dead / dangerous trees have been felled.

If you are aggrieved by the refusal of consent for the proposed felling or any of the conditions attached to your consent, you may appeal to The Planning Inspectorate (PINS). Because of coronavirus (COVID-19), you currently can only make a planning appeal online. You cannot currently apply by post.

For more information go to:

<https://www.gov.uk/government/publications/tree-preservation-order-appeal-form>

Telephone: 0303 444 5500 or e-mail it to:

treeandhedgeappeals@planninginspectorate.gov.uk

Your appeal should be received within one month of receipt of this decision or any such longer period as the Planning Inspectorate may allow.

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

Yours sincerely,
Andrei Nazare

Andrei Nazare, Assistant Natural Environment Officer

1. Annotated photo identifying T16 Alder

