

Mr. James Hedges
HTC Ltd
23 Elmlee Close
Chiselhurst
Kent
BR7 5DU

Our Ref: 212074/TPO
Your Ref:

Direct: ☎01189 372440
sarah.hanson@reading.gov.uk

10th February 2022

Your contact is:

Sarah Hanson, Planning

Dear Mr. Hedges,

RE: PROPOSED WORKS TO AN OAK TREE AT 60 WESTERN ELMS AVENUE, READING - PROTECTED AS T9 OF TREE PRESERVATION ORDER NUMBER 29/03.

Thank you for your application dated 22nd December 2021, which was validated on 23rd December 2021, regarding the above.

You have applied to carry out the following tree works:

T9 - Oak

- Reduce the height of the Oak by approximately 4.5m to a final height of approximately 17-18m.
- Reduce the radial branch spread by up to approximately 2-3m, reducing the over-extended branches to south and east to form a re-balanced crown with an average radial branch spread of approximately 8m.
- Crown lift to ensure 5m clearance of the road and 4m clearance over driveway and parking area.
- Remove moderate deadwood and minor deadwood >1m in length and any structurally weakened / damaged branches.

The reasons given for the work is that this is a mature tree in high target area with history of root disturbance including roadside trenching. The planned works are intended to *'reduce the overall load on the tree as well as increasing clearance over the main road (low, over-extended branches) as well as removing deadwood and damaged branches in accordance with good arboricultural practice'*. You have advised that *'historically the tree has been reduced and with localised crown dieback and moderate deadwood. The tree will still be a prominent landscape feature after completion of the proposed works.'*

The Council's appointed Tree Consultant, Sarah Duckworth, visited the property on Tuesday 1st February 2022 to view the tree and assess the expediency of the works.

Ms Duckworth has noted that the Oak is a significant mature tree growing adjacent to the public highway. The outer branch tips are close to 60 Western Elms Avenue. Where accessible, the base was in a good condition, the tree's bark intact and there were no fungal fruiting bodies evident. Aside from the suggestion of root damage, no structural defects have been noted in your application. The tree has a broad canopy which extends over the public highway and dense and even bud density indicating generally good physiological health.

The Council recognises that the tree has been topped in the past but notes that it has grown on considerably since this event and now has a number of large mature branches above the previous reduction points around 200-400mm diameter. Although 'topping' is contrary to current accepted arboricultural good practice, the original topping points are well-occluded with healthy new growth and do not now appear to be unacceptable or foreseeably hazardous components of the tree's branch structure.

There has been some trenching for services within the pavement at the base of T9 (Oak). I have no information on the trenching works, its date or depth nor regarding any root damage which might have occurred during the groundworks. Service works undertaken by the utility company should be carried out in accordance with the best practice guidelines in NJUG Volume 4 to prevent damage to tree roots, but the Council recognises that unfortunately these professional standards are not always followed. However, at the time of the site visit it was noted that there is no significant wounding or fungal fruiting bodies around the base of the tree such as can occur following major root damage and the tree is in good physiological health. If significant root damage had occurred in the past, some subsequent dieback in the tree's outer canopy would have been anticipated.

With regards to the trenching works, the Council considers that most trees in the urban landscape will have experienced trenching within their rooting areas at some point. However, using this as justification for a substantial reduction of a tree's canopy without further evidence is insupportable and would set an unacceptable precedent when it comes to considering similar applications to reduce urban trees in the future.

Similarly, with reference to your email of 23 December 2021, no evidence of or impact from '*historic wall construction*' was noted.

Reading Borough Council would rarely consent to the entire reduction of a protected tree's canopy unless there is a substantial health and safety justification for the work. The proposed 4.5m canopy reduction in height would create multiple pruning cuts in the upper canopy in excess of 100mm contrary to the guidelines for tree pruning practices in the British Standard 3998 (2010) Tree Works Recommendations. The reduction of the height and lateral spread of the tree would considerably reduce the oak's wider amenity value.

The Council has concluded that insufficient information has been submitted in support of your application to demonstrate a need or justification for the proposed tree reduction work at this time. The reduction would create a large number of large pruning cuts contrary to good arboricultural management and would reduce the wider amenity of a healthy and visually significant urban tree. In view of this, your application is refused.

The Council grants consent to an alternative (lesser) specification of tree works. These works are intended to increase the gap between the outer canopy and the residential dwelling 60 Western Elms Avenue. It will also raise the outer canopy thus improving lower light levels to the property. The works are considered minor pruning works which will not cause any long-term detriment to the health or wider amenity value of the tree.

I can confirm that the following works, are approved subject to the conditions below:

Approved Tree Works

T9 - Oak

- Reduce the western side of the canopy by 2-3m (growing towards 60 Western Elms Avenue) using nearest suitable reduction points to create reasonable canopy clearance to the property. Cuts should be graded into the surrounding canopy to create a sympathetic and natural-looking canopy shape (see photo 1).
- Remove low pendulous secondary branch over driveway back to source (see photo 2).
- Remove 5x small low branches & 1x dog legged low branch back to the main trunk (see photo 3)
- Crown lift to ensure 5.5m clearance of the road and 4m clearance over driveway and parking area removing epicormic growth where necessary.
- Remove moderate deadwood and minor deadwood >1m in length and any structurally weakened / damaged branches.

Conditions relating to the approved works

1. 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

2. 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

If you or your client are aggrieved by the refusal of consent for the work as per your application, or against any of the conditions attached to your consented works, you/they 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 5570 or e-mail it to:

treeandhedgeappeals@planninginspectorate.gov.uk

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

If your client suffers any loss or damage as a result of the refusal works, they may be entitled to recover compensation from the Council. If they wish to make a claim, they must do so within 12 months from the date of this decision (or, if they appeal to the Secretary of State, within 12 months from the date of his decision). Claims should be made in writing to the Insurance Section, Reading Borough Council, Civic Centre, Bridge Street, Reading, RG1 2LU.

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

cc. Mr. Valentia Xhilaga, 60 Western Elms Avenue, Reading RG30 2AN

1. Permitted reduction of eastern lateral spread by 2-3m towards property 60 Western Elms Avenue.



2. Permitted removal of one low pendulous secondary branch over driveway / parking area



3. Permitted removal of 5 small secondary branches / branch stubs & 1x dog-legged branch from lower canopy back to source.

