



Mr Edward Butler
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Frances Martin
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15 August 2022

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

Dear Mr Butler,

RE: PROPOSED WORKS TO ONE WALNUT TREE AND A GROUP OF WESTERN RED CEDAR TREES AT NIMBUS, UPPER WARREN AVENUE, READING - T2 AND G1 OF TREE PRESERVATION ORDER NUMBER 59/07.

Thank you for your application of 25 July 2022, regarding the above.

You have applied to carry out the following tree work on protected trees:

- Walnut (T2 of application and TPO) - Remove to source stem closest to the garage as it is leaning on the retaining wall. Reduce canopy of remaining stem on the Eastern side by approximately 15% (approx. 2m;) back to suitable pruning points. (Include the removal of significant dead and defective branches.)
- Western Red Cedar (G1 of application and TPO) - Reduce the Eastern side of the canopies of these trees by 2-3m, back to approximately the boundary line, up to a height of approximately 15m. Cut to suitable growth points where possible.

On 9 August 2022 my colleague Sarah Hanson and I visited 6 Upper Warren Avenue to see the trees, during which time we discussed the proposals with the applicant.

It is unfortunate that the T2 Walnut's growth against the retaining wall wasn't addressed earlier as it may have prevented the need to cause a large wound in order to remove the stem. The removal of such a stem would not normally be acceptable but is agreeable in this case due to its growth against the wall, i.e. the situation is not sustainable (please note Informative 5). As per your e-mail exchange of 26 July 2022 with us, I note that the canopy reduction is time sensitive and should be carried out during late summer as this species is prone to bleeding (note condition 3).

During our discussion with Mr and Mrs Noble about the outcome of the proposed works to G1, it was agreed that it is not in their interest, from an aesthetic point of view, to reduce the overhang of these trees back to the boundary with Nimbus. In addition to the detrimental impact on the appearance of the group, works to this extent are also likely to result in removal of more than 1/3rd of the leaf area of some branches, against good arboricultural practice and should be avoided. Ultimately, an amendment was discussed, as follows: cut back overhang to 2m from the boundary and lift 2-3m above ground with the caveat that the 1/3 guidance mentioned above is followed.

In addition, one leaning tree, at the northern end of G1, in the rear garden was noted, which was leaning against the boundary wall with a one-sided, suppressed canopy, leaving little scope to crown lift. It was suggested that the removal of this tree would therefore be reasonable and the applicant agreed to amend the proposed works to include its removal (please note Informative 5).

One branch overhanging the rear garden from the T1 Deodar cedar growing within Nimbus was identified within the canopy of G1 and this was also added to the amended works in order to allow consistent 2-3m crown lifting along the boundary.

In conclusion, I can confirm that the following amended works, as discussed on site with Mr and Mrs Noble, are approved subject to the conditions below:

- Walnut (T2 on application and TPO) - Remove to source stem closest to the garage as it is leaning on the retaining wall. Reduce canopy of remaining stem on the Eastern side by approximately 15% (approx. 2m; as shown on application photograph) back to suitable pruning points. (Include the removal of significant dead and defective branches.)
- Western Red Cedar (G1 on application and TPO)
 - Reduce the Eastern side of the canopies of these trees to 2m from the boundary line (2m into the garden of No. 6), up to a height of approximately 15m. Cut to suitable growth points where possible and adhere to the 'remove no more than 1/3 of the leaf area of each branch' guidance.
 - Crown lift to 2-3m above ground remaining branches on the side overhanging 6 Upper Warren Ave
 - Fell one tree, on the northern end of the group, leaning into the garden part of G1.
- Deodar cedar (T1 on TPO) - lift 1 low branch overhanging the garden to 2-3m above ground level

In this case, we have not included a requirement for a replacement tree for the conifer in G1 due to the number of other trees present.

Please ensure Mr Richmond at Nimbus receives a copy of this letter.

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. The approved canopy reduction of T2 Walnut shall be undertaken in late Summer in view of their propensity to bleed.

Reason: Taking into account the tree's phenological cycle and in order to avoid any unnecessary detriment to the tree as a result of the pruning work.

4. 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.

If you are aggrieved by 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 5570 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

C.c.
Mr Noble, 6 Upper Warren Avenue (via e-mail)