



Frances Martin
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Mr J Dattani
24 Eldon Road
Reading
RG1 4DL

Our Ref: 220929/TCA
Your Ref:

Direct: ☎01189 374294
Email: andrei.nazare@reading.gov.uk

27th July 2022

Your contact
is:

Nazare Andrei, Planning, Development & Regulatory Services

Dear Mr Dattani,

**RE: PROPOSED FELLING OF ONE MONTEREY CYPRESS AT 24 ELDON ROAD, READING -
SUBJECT TO CONSERVATION AREA STATUS.**

You initially wrote to us on 19th May 2022 asking about the protection status of the Monterey cypress growing in the rear garden of the 24 Eldon Road. Following my e-mail with advice on the Conservation Area status and on how to submit a tree works notice, you submitted a notice to fell on 24th of June accompanied by a location plan and photographs of the tree. As the reason for felling, you stated the *'tree is causing significant damage as evidenced in the photos, the surrounding wall is now at an angle, and it is uprooting the area around it. [...] the tree is [...] currently hazardous, it is not going to settle or improve and will simply continue to cause damage to our property and the neighbours, potentially felling our back garden wall onto the public pavement.'*

The photographs you provided show that there had been significant level changes around the base of the tree and up to against the wall through piling up excess soil, rocks, and various other debris or rubble. It appears from the photographs there are soil and debris (parts of wall removed) pushing against the remaining wall into the direction it is leaning. The part removal of the wall could also have affected its stability. The level changes were apparent when we compared your photographs with those we have on record from 2019. However, the photographs do not demonstrate the tree directly affects the wall as none of its sizeable roots are visible. It is also apparent from the photographs that one branch was removed a short while prior to the photographs being taken, which is a matter I have already raised in my e-mail of 24th June 2022 as we have no tree works notification on

record for this.

I note that aside from the above stated reason for felling and the provided photographs, you have not provided any evidence to demonstrate the wall is indeed affected by the tree or its roots.

Further to your notification of 24th June 2022 to fell one Monterey cypress tree at the above address and my colleague Sarah Hanson's visit of 11th July 2022, I can confirm the following:

The tree in question appears to be in good condition and provides amenity value to the surrounding area. The amenity value assessment agrees with the findings of the Eldon Square Conservation Area Appraisal, which states that green spaces, trees and other natural elements are of special interest to the Eldon Square Conservation Area. Specifically, the appraisal stated that *'trees are few and because of their scarcity they make a significant contribution to this urban conservation area's special character and sense of identity'*. It also identified that loss of rear gardens (i.e. greenery) to parking and garages has a negative impact on the historic character and appearance of the conservation area.

In addition, 24 Eldon Road is located within the Air Quality Management Area meaning that tree retention is important in order to help mitigate poor air quality effects on residential areas, in line with Local Plan Policy EN15 and objective 4 of our Tree Strategy.

The Council have therefore placed a Tree Preservation Order on this tree as the proposed felling is not acceptable, a copy of which is attached (a copy has also been posted to you at the property)

The Tree Preservation Order has been served to all interested parties and is in effect as of today 27th July 2022. This is in advance of 5th August 2022, i.e. six weeks from the date of your notification.

Following the service of the Tree Preservation Order, if you still wish to carry out works or fell the tree, an application for works under the TPO must be submitted for formal consideration. You can do this via the Planning Portal, a link to which is provided on our website: <https://www.reading.gov.uk/planning-and-building-control/trees-hedges-and-environment/trees/> . However, additional information to justify felling of a protected tree will be required on submission of the application, such as a report following an inspection of the tree and the wall from appropriate professionals. If the works are subsequently refused, the appeal process can be followed, details of which will be given at the time.

During her visit, my colleague noted additional branch breakage over and above that raised in my 24th June e-mail. We are now aware of the tree's current condition based on both the photographs you have provided, Sarah's visit and an additional visit undertaken today and, as you have been told to avoid damage, any additional damage will be taken as 'wilful damage' under the 202C of the Town & Country Planning Act 1990 and Regulation 13 of The Town and Country Planning (Tree Preservation) (England) Regulations 2012 and may result in formal enforcement proceedings. Please liaise with your tenants or any

contractors who may be undertaking works on your property so that they are aware about this.

You can object to the Tree Preservation Order served today within 28 days of service i.e. by 24th August 2022. The objection procedure is provided in the covering letter to the Tree Preservation Order (posted to you at 24 Eldon Road).

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