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Your Ref:

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3 October 2022

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

Dear Mr Welby,

RE: PROPOSED WORKS TO 33 TREES AT READING LINK RETAIL PARK, ROSE KILN LANE, READING - PARTS OF G1, G2 AND G3 OF TREE PRESERVATION ORDER NUMBER 2/05.

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

You applied to remove 31 protected trees (6 from G1; 1 from G2; 24 from G3) at the above address.

Further to our meeting on 22 September 2022 with my colleague Sarah Hanson and with your client Mr Mackenzie, I have the following comments:

We raised concerns with regards to the impact on biodiversity, wildlife and tree cover in the area following the removal of such a large number of trees at once. During our conversation you pointed that while some removals are necessary based on arboricultural reasons, a number of trees can be retained if appropriate management works are carried out, in this case re-pollarding.

The high costs of removing and providing replacement planting for all 31 trees at once were also pointed out as being prohibitive and are a reason for considering retention of those trees that are safe to do so, over and over the lack of arboricultural justification for felling.

Your client, Mr Mackenzie and you agreed to amend your application with lesser works for the trees that can be retained.

The following amended works, as discussed during our visit, are approved subject to the conditions below:

- Crack willow (T06, T28, T29 of application; part of G3 as White willow on TPO) - fell to ground
- Crack willow (T07, T08, T30, T51* of application; part of G3 as White willow on TPO) - re-pollard
- Weeping willow (T09, T18, T19, T20, T21, T25, T26 of application; part of G3 on TPO) - re-pollard
- Weeping willow (T10-T17, T22, T23, T27* of application; part of G3 on TPO) - fell to ground
- White willow (T31 of application; part of G2 on TPO) - Re-pollard to previous points
- Weeping willow (T32 of application; part of G2 as White willow on TPO) - crown lift over footpath
- Lombardy poplar - (T39, T40, T45, T46, T47 of application; part of G1 on TPO) - fell to ground
- Crack willow (T48 of application; part of G1 on TPO) - fell to ground

The Tree Survey you provided includes, in detail, arboricultural reasons for the removal of the trees for which felling is approved and we were able to verify these during our visit, except for T27 Weeping willow. These reasons are:

- T6, T10, T11, T12, T15, T16 (Willows) - the trees are either standing dead or only a decaying stem remaining or have recently failed
- T13, T14, T17, T22, T23, T27, T28, T29, T48 (Willows)- decay or wounds with decay on the trunks; fire damage; decay beneath regrowth points; fungal fruiting bodies on trunk consistent with *Laetiporus spp. (sulphureus?)*; visible cavities; dieback in upper crown
- T39 (Lombardy poplar) - one of a pair. Remove to manage risk of failure from release when adjacent tree is removed
- T40, T45, T46, T47 (Poplars) - internal hallowing; bacterial exudations on stem at 2m; narcotic bark from 1 to 3m; mature trees with limited useful life expectancy; one of the 2 stems is over 50% dead

Please note that we approved the felling of T27 Weeping willow without being able to access the base for visual inspection. However, you said that if, upon closer inspection when undergrowth is removed, it is found that the tree can be safely retained via re-pollarding, you will do so. No replacement planting will be necessary if the tree is retained, but as felling is approved, I account for it in my replacement list (see paragraphs below and condition 4).

During our discussion on possible replacements, you mentioned Swamp cypress as something to consider, which we find agreeable. Swamp cypress (*Taxodium distichum*) trees are able to grow over 20m in height while keeping a narrow(er) crown which adequately replaces the amenity lost by removing the Lombardy poplars. We consider 6 Swamp cypress should be planted along the South-West boundary of Reading Link Retail Park (within G1 on TPO) as replacements for T39, T40, T45, T46, T47 (Poplars) and T48 (Crack willow) in order to re-provide the landscape feature of lost from the felling of the Lombardy Poplars.

As replacements for the other 14 trees that felling is approved for (T06, T28, T29, T10-T17, T22, T23 and T27*) we are open for suggestions of trees that you and Mr Mackenzie find agreeable and suitable for the location (along the North-West boundary, within G2 and G3) - moist soil and/or short periods of standing water. However, I'm providing a few possible options for your consideration: Common alder (*Alnus glutinosa*), Downy birch (*Betula pubescens*), Black poplar (*Populus nigra*) or Bird cherry (*Prunus padus*). In addition, I suggest you consider 1 Swamp cypress in the location of T06 - this would be a highly visible tree from Rose Kiln Lane and improve the street perspective.

The Tree Schedule is missing 1 Poplar from G2 (between T31 and T32 on the survey). No works have been proposed on this tree, as such it is not included in the list of approved works. Similarly, one Crack willow stump (part of G3; between T29 and T30) with considerable regrowth is also missing from the Tree schedule and we discussed the need to re-pollard it - as such, I've included it in the list of approved works as T51.

Your application included works to or removal of 11 trees which are not protected (Common ash, Wild Cherry) - you do not need permission to carry out works to these trees. The Council encourages replacement planting for all removed trees regardless of their protection status in order to mitigate the effects of climate change and meet with the aims of our Tree Strategy to increase canopy cover in the Borough.

We discussed with Mr Mackenzie the potential concerns that may be raised over the felling and re-pollarding of such a significant number of trees, in terms of the detrimental impact on wildlife and visual amenity. Subject to your advice on each individual tree, consideration could be given to spreading out the works over the two-year period for which this approval is valid. However, it is appreciated that logistically, it may be preferable to do all the works at once. In either case, you will note the requirement of Condition 1 to provide notice of the date of work, following which we will advise local ward Councillors and our Tree Wardens. As discussed, Mr Mackenzie may wish to place notices of the intended tree works at entry points to the Retail Park for the public's information. In relation to the wildlife impact, please note Informative 3 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 4x Crack willow, 11x Weeping willow and 5x Lombardy poplar trees authorised by this consent, 20 No. trees a minimum of 10-12cm girth and 3m

tall shall be planted along the North-West and South-West boundaries of Reading Link Retail Park (within G1, G2 and G3 of TPO 2/05), the species of which shall be agreed with the Natural Environment Team.

The tree(s) shall be planted during the planting season (Nov-March) following or at the time of the felling of the trees, 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. 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.

8. Trees not considered to be protected by the current Tree preservation order: Work can be carried out to this tree without the formal consent from this Council.

9. Prior to the severing of well-established Ivy at the base of the tree, it would be prudent to carry out an assessment of whether any of the stems of the Ivy are forming a natural brace above a suspected bark-included union.

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 D Mackenzie, Sorbon Estates (via e-mail)