



Ms. Elsa Curran
May House
103 Hamilton Road
Reading
RG1 5RB

Frances Martin
Executive Director for
Economic Growth and
Neighbourhood Services

Bridge Street, Reading RG1 2LU
☎ 0118 9373787

Our Ref: 210348/TPO
Your Ref:

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

25th March 2021

Your contact is: Andrei Nazare, Planning

Dear Ms. Curran,

**RE: PROPOSED FELLING OF ONE PINE TREE AT 103 HAMILTON ROAD, READING -
SUBJECT TO TREE PRESERVATION ORDER NUMBER 08/20.**

Thank you for your application of 25th February 2021, regarding the above.

Given the current Covid circumstances, it is advisable to avoid site visits where possible. Thanks to the photographs submitted with your 7th March 2021 e-mail and those taken by my colleague Sarah Hanson during her site visit on occasion of the June 2020 Section 211 Notice to fell the tree (ref 200842), I am able to assess this application without visiting the site.

Further to the submitted sketch plan and photographs as well as the concerns raised within 'Attachment I' of your application, I have the following comments:

As mentioned in the acknowledgement e-mail my colleague Sarah Hanson sent to you on 4th March 2021, your application has been interpreted as seeking approval to fell the Pine tree, not as an '*appeal*' (objection) to the Tree Preservation Order 08/20 - it is too late to object the TPO now. However, if you so wish, you can appeal the Council's decision on this tree works application - details on how to do that can be found at the end of this letter.

I note your comments on the accuracy of the TPO plan. Please note that TPO plans are not required to be absolutely accurate but only sufficient to make the identification of the protected tree beyond doubt, which in this case it does.

If you have any concerns that due procedure was not followed in the service and confirmation of the TPO, these should be addressed to our Legal Department. As should have been provided in the confirmation correspondence, there was the ability to challenge the TPO following confirmation by applying to the High Court under sections 284 and 288 of the Town and Country Planning Act 1990. You could have applied to the High Court if you believed:

- (1) the order is not within the powers of the Town and Country Planning Act 1990; or
- (2) the requirements of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 have not been met.

However, such an application must be made to the High Court within six weeks from the date of confirmation; which has now passed.

The Council previously agreed to the removal of two other trees from your property: one Eucalyptus and one Yew tree (ref 181078/TCA). This effectively makes the Pine tree the last significant tall vegetation on your rear garden.

With regards to the tree's amenity value, you mention that, following the previous crown reduction in 2018 (ref 181078), the tree continued to grow and '*is now taller than the three-storey house and can be seen above the roof from the houses opposite*'. This demonstrates the good health and vigour of the tree as well as its potential in terms of visibility from surrounding public or private spaces, both of which are criteria for positively assessing the amenity value. Moreover, this Pine is highly visible from Bulmershe Road, the sports grounds of Maiden Erlegh School and from neighbouring rear gardens.

You pointed out that '*there are no other trees in the surrounding area anywhere near the size of the pine*'. It is considered that this increases the value of the Pine - the lower the surrounding tree population, the higher the amenity value of individual trees. In addition, as you are aware, your property (hence tree) sit within the South Park Conservation Area where trees make an important contribution to the verdant feel of the area.

Other criteria that this tree scores well in terms of amenity value are conformity to typical species form and suitability to the setting. The Pine displays a well-formed trunk, symmetrical crown and it successfully softens the Bulmershe Road's perspective of the house's large rear elevation, while growing in a well-proportioned rear garden.

While you estimate the Pine's age at 30 years old, given its size and girth, I believe it is safe to assume 40+ years as being a more accurate estimate. In any case, a healthy 30 to 50 years old Pine is not expected to require yearly crown cleaning for maintenance purposes, as it will not have yet begun to show significant dead or declining branches. Therefore, the tree is not considered to be an onerous financial burden in terms of maintenance requirements; with the maintenance of trees considered to be part of the overall maintenance of a property. Of course, professional arboricultural input

(inspection) should be sought every 5 years (or less) in order to identify early or mitigate any safety hazards that might appear. Selective branch reduction to provide greater clearance from the house and/or crown lifting as the tree grows would be reasonable management and applications seeking consent for such works are likely to be successful.

I acknowledge that the light levels in the rear extension, the room where your mother lives, are not satisfactory for her; exacerbated by the low level of the accommodation. I note that the tree is north-east of your mother's main window into the garden and as such would cause some blockage of direct sunlight in the early morning, the house itself shading the garden in the afternoon and evening. However, it is arguable that the room would not experience significantly more daylight levels if the tree were removed than it receives now, as the tree doesn't cast direct shade on the house and its crown is far enough from the ground floor windows that allows daylight around and under it.

You have not provided any sound arboricultural reasons to support felling of this tree. As far as your 'Attachment I' narrative, photographs and Sarah Hanson's visit in 2020 lead me to believe, the tree is healthy, in good physiological condition, and does not currently pose any health or safety concerns.

Your willingness to replace the Pine with '*two medium sized native trees*' is noted, however it is the amenity lost, if felled, from the Pine tree in question that is of concern.

In conclusion, the proposal to fell the Pine tree subject to TPO 8/20 is refused.

If you wish to appeal against the Council's decision on this matter, please contact the Planning Inspectorate within 28 days of receipt of this letter to obtain the relevant forms:

Trees and Hedges
Room 3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
Telephone: 0303 444 5570
E-mail it to: treeandhedgeappeals@planninginspectorate.gov.uk

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