



Mrs S Keighley
Tilehurst Poor's Land Charity
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Frances Martin
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Our Ref: 200629/TPO
Your Ref:

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13 May 2020

Your contact is: Sarah Hanson, Planning and Building Control

Dear Mrs Keighley

RE: RETROSPECTIVE APPLICATION FOR WORKS TO ONE ASH TREE AT TILEHURST ALLOTMENTS, READING - T1 OF TREE PRESERVATION ORDER NUMBER 24/00.

Thank you for your retrospective application of 27 April 2020 following works having been carried out to the tree on 23 April 2020 without consent. I understand that the works were carried out without authorisation due to your lack of awareness of the TPO.

As you are aware from our correspondence, we reviewed the letter of 23 April 2020 from you contractor, along with your explanation for the works and photographs of the tree in question. It was not evident that the entire reduction of the tree was urgently necessary, i.e. that it was exempt from requiring permission, hence the request to submit a retrospective tree works application to regularise the situation.

From the information provided, I understand that following the failure of a limb into the adjacent garden in Polstead Road, you sought advice from A B Estate & Property Maintenance Services as to appropriate works to make the tree safe and prevent potential further limb failures. The report (letter of 23/4/20) from A B Brown identified defects within the tree and recommended that it be pollarded; that work then being carried out. The invitation to submit this retrospective application as a way of resolving this matter was considered reasonable as the tree works would have been approved had an application been submitted. However, had an application been submitted, we could have assessed whether the works could have waited as pollarding at the time the work was

carried out, i.e. when the tree was coming out into leaf, is the worst time in terms of potential negative impact on the tree's future health.

I can confirm that the following proposed works, as detailed in your application, are retrospectively approved:

- T1 Ash - pollard

I understand that you will be employing a suitable professional to survey the trees on the allotments site in order to meet with your duty of care, ensuring that a tree works application is submitted or notice provided (as is relevant) before carrying out any recommended works to protected trees.

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 (which has been authorised retrospectively). Further pruning works or pollarding operations to T1 (Ash) of TPO 24/00 will require a new application to be submitted and approved by the Borough Council.

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 060 3900; enquiries@naturalengland.org.uk

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.

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 trees not subject to a Tree Preservation Order without the formal consent from this Council.

If you wish to appeal against any of the conditions attached to this consent, please contact the Planning Inspectorate within 28 days of receipt of this letter to obtain the relevant forms:

The Environment Appeals Team, The Planning Inspectorate, Room 3/25, Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Email: environment.appeals@pins.gsi.gov.uk
Tel: 0117 372 8192

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