



Mr. David McCaffrey
Burleys
Burleys Corner
South Holmwood
Dorking
Surrey
RH5 4LJ

Frances Martin
**Executive Director for
Economic Growth and
Neighbourhood Services**

Bridge Street, Reading RG1 2LU
☎ 0118 9373787

Our Ref: 191746
Your Ref:

Direct: ☎01189 374294
sarah.duckworth@reading.gov.uk

15th January 2020

Your contact is:

Sarah Duckworth, Planning & Building Control

Dear Mr. McCaffrey,

**RE: PROPOSED WORKS TO TREES WITHIN THE NIMROD ESTATE, NIMROD WAY,
PROTECTED WITHIN WOODLAND 1 OF THE KENNET VALLEY ESCARPMENT TREE
PRESERVATION ORDER 200/06**

Thank you for your application dated 1st November regarding the above.

You have applied to cut back the canopies of Lime trees within a 40m stretch at the top of the escarpment as indicated in your plan. The specification given was to *'reduce back the overhang by up to 3m from 71 Milman Road, all the way past Christ Church Primary School'*. No reasons were given for the work in support of your application, however in our subsequent conversations you advised me that the work was required due to alleged subsidence issues at 71 Milman Road and to reduce the overhang at Christ Church Primary School.

As I advised you on the phone, the Borough Council has already received an application to fell trees along the escarpment within 8m of 71 Milman Road in response to the alleged property damage and this is being considered under separate application ref: 191719.

On the 18th of December, I met with a representative from Christ Church school regarding the proposed tree work and took the opportunity to view the trees from within the school grounds. It was apparent that the school does not have an issue with the overhang from the trees as the overhang is not significant. Where branches do overhang the school site, they are mainly over a classroom building and therefore do not impact on the amenity of

the site. The representative I met from the school confirmed that she was not aware of any issues raised regarding the trees adjacent to the site.

The proposed reduction of up to 3m would represent a significant lateral reduction to the canopies of many early mature boundary trees. This would be to the detriment of their health and amenity value but with no notable benefit to the school or residents adjacent to the escarpment.

In conclusion, as your application fails to demonstrate a need for the proposed canopy reduction or that it is intended to benefit the trees' health, the work is considered to be contrary to good arboricultural practice and your application has been refused.

The following lesser works have been approved subject to the conditions below:

Approved Tree Works

- Lime trees adjacent to the school, cut back individual branches growing close to the prefabricated building in order to give 0.5m clearance to the building.
- 2x mature multi-stem Lime at the end of Milman Road, Crown lift to give 4m clearance over the footpath and cut back longer lateral branches growing over the footpath towards the highway by up to 3m using nearest suitable reduction points to leave a natural looking canopy outline.
- Mixed broadleaf trees on the escarpment adjacent to the boundary of 71 Milman Road, cut back by 2m or to give 3m clearance to property using nearest suitable reduction points.

Conditions

1. Pruning cuts from the permitted work shall not exceed 100mm diameter. 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

2. The approved canopy reduction shall be undertaken in mid-late Summer (July – September) when the tree's energy reserves are at their height or during the Winter months of December – January during the period of dormancy.
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.

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

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. 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 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:

The Environment Appeals Team
Trees and Hedges
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: 0303 444 5584

If you suffer any loss or damage as a result of this refusal of consent, you may be entitled to recover compensation from the Council. If you wish to make a claim you must do so within 12 months from the date of this decision (or, if you appeal to the Secretary of State, within 12 months from the date of his decision). Claims should be made in writing to the Insurance Section, Reading Borough Council, Civic Centre, Bridge Street, Reading, RG1 2LU.

If you require any further assistance, please do not hesitate to contact me on the above number.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SD' with a stylized flourish underneath.

Sarah Duckworth
Consultant Assistant Natural Environment Officer