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Mr J Tomas
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Reading
RG31 6RP

Our Ref: 181312/TPO
Your Ref:

Direct: ☎01189 372440
Email: sarah.hanson@reading.gov.uk

7 February 2019

Your contact
is: Sarah Hanson, Planning & Building Control

Dear Mr Tomas

**RE: PROPOSED WORKS TO TREES AT 40 ELSLEY ROAD, READING - SUBJECT TO TREE
PRESERVATION ORDER NUMBER 31/003.**

Thank you for your application of 25 July 2018, with supporting Tree Assessments report from G A Butler & Sons Ltd, dated 18 June 2018, and subsequent email of 6 October 2018 confirming the intended works.

You have applied for approval for the following works:

- Fell T1 (Pine), T2 (Beech) and T3 (Beech)
- T4 Beech at 5 Barbrook Close - Crown lift to the main crown break (as opposed to the crown lifting indicated in the Tree Assessments report)
- T5 Oak at 12 Barbrook Close - remove lowest main branch overhanging garden of 40 Elsley Road (as opposed to the crown lifting suggested in the Tree Assessments report).

During our meeting of 16 November 2018 we discussed your concerns with all the trees and looked at the property damage to the garage referred to in the Tree report. During the meeting we discussed alternative works to T4 Beech (to that recommended in the Tree report) and you confirmed that you wished to remove the entire main limb of T5 Oak instead of the crown lifting recommended.

In relation to the Pine, I noted that this was not included in the Tree Assessments report

hence that no arboricultural justification had been provided for its felling. Following the opportunity to have the tree inspected, you confirmed in your email of 4 February 2019 that you wished the application to be decided without submission of survey information in relation to this tree. During our meeting you confirmed that the reason for the proposed felling of the tree was due to its lean and proximity to the garage/house.

Whilst on site, you pointed out the damage to the rear of the garage, including the broken window, the poor condition of the garage roof and loss of bricks from the retaining wall adjacent to T2 Beech.

Further to my visit and with reference to the Tree Assessment report, I have the following comments:

The Tree Assessment Report is a comprehensive document that does not raise any concern about the condition of any of the trees included in your application, and states in 6.1 that *'there were no obvious signs to indicate that the trees are in such a condition that they will fail'*. As you know, T1 Pine was not included in this report hence no information about this tree was provided. The report suggests works to trees T4 Beech and T5 Oak which we discussed on site and which have been amended, as detailed above. Section 2.1 of the report details your concerns and your email of 19 November 2018 confirmed that these were your reasons for felling. Section 6 of the report responds fully to those concerns and in doing so effectively provides reasons why each are not valid reasons to fell the trees. The responses given are the same as the Council would offer and provide a combination of pruning and other solutions to alleviate the concerns raised. Further specific comments are given below in addition to the responses given in the Tree report:

T1 Pine

This mature Pine is located in close proximity to the garage (approximately 1m) and at a higher ground level than the ground floor of the garage. The canopy overhangs the garage and part of the main house and the top section of the trunk has a slight lean to the south. The tree appeared to be in good condition and is highly visible from the road, contributing to the treed nature of the locality.

The slight lean of the top section of the trunk is most likely due to suppression from the adjacent Beech, which would be natural over time. No evidence has been provided to suggest that this lean is new or sudden.

It is appreciated that needles and other natural tree debris will fall on the roof of the garage due to the tree's proximity. It was noted that the roof felt was in a poor condition and the gutters of the garage were partially hanging off. Prevention of debris on the roof cannot occur without felling the tree, although gutter covers could be utilised once the gutters are repaired to prevent these becoming blocked. Nuisance from natural tree debris is not considered to be a reason to fell a healthy tree of high amenity value. The Pine tree was not included within the Tree Assessment Report and no arboricultural justification has been provided for its felling therefore the felling is not agreed.

T2 & T3 Beech

These mature trees provide high amenity value to the locality being visible from the road and surrounding gardens and the species is in keeping with the immediate area, many others being located in the adjacent road, 'The Beeches'.

The Tree Assessment report noted that the vigour of both trees appeared to be normal for their size, age and species, therefore no arboricultural reasons for felling were highlighted.

In relation to the damage to the rear wall (including window) of the garage, it is not appropriate for me to comment on the construction or structural integrity of the garage, which I understand was constructed in the early 1970s along with the house. However, the trees, hence the higher ground level on which they stand, were present before your property and garage was built hence I would have expected the construction to take account of the weight of the land, including the trees on it. It would seem prudent to seek input from a structural engineer to take this matter further.

It is appreciated that due to the dense canopied nature of this species there will be a notable blocking of sunlight into the garden in the morning, due to the orientation of the trees, probably exacerbated by the conifers along this boundary within 1 The Beeches. However this should not be affected significantly at other times, albeit overall light levels in the garden are likely to be impacted by the combination of tree canopies on and off-site.

You reiterated on site your concerns relating to light levels, inability to grow plants and grass and issues with bird droppings. These are nuisance issues that come with tree ownership and are not considered to be reasons to fell healthy trees of high amenity value. Some crown lifting/reduction works were suggested within the Tree report to T2 (beech closest to house) which are reasonable.

T4 Beech (within garden of 5 Barbrook Close)

Similarly to T2 and T3, this tree contributes to the treed nature of the locality, again the species being in keeping with the area.

As with T2 and T3, the Tree Assessment report noted that the vigour of the tree appeared to be normal for its size, age and species.

The Tree report suggested some crown lifting of the southern side of the canopy to provide a gap for the light between the canopies of T4 and T5 (Oak). On site we established that further crown lifting (up to the main crown break) and through 360° (with the owner's permission) would be acceptable and would allow further light under the canopy.

T5 Oak (within garden of 12 Barbrook Close)

This tree offers amenity value both as an individual, visible from Barbrook Close and Elsley Road, and contributes to the overall tree coverage, characteristic of the area. No issues with its condition were noted in the Tree Assessment report other than the presence of dead wood; however this is normal for the age and species and can be removed at any time without formal approval.

The Tree report suggests crown lifting and/or branch reduction to provide greater clearance above the ground to allow more light to penetrate – this work would involve relatively minor secondary or tertiary branches. You confirmed during our meeting that you wished your application to seek consent for the entire removal of the main limb overhanging your garden. As advised on site, this is a major limb whose removal would create a large wound at the trunk liable to decay. The diameter of the branch is at least one third of the diameter of the main trunk, hence its removal would go against good arboricultural practice, i.e. the recommendations in BS 3998:2012 'Tree Work – Recommendations'. The removal of this branch is therefore not acceptable. Alternative works are acceptable, as detailed below.

In conclusion, the proposed felling of T1 Pine, T2 Beech and T3 Beech is refused for the reasons given in Section 6 of the Tree report and the reasons given above. In addition, the removal of one main limb overhanging the garden of 40 Elsley Road from T5 Oak at 12 Barbrook Close is refused for the reasons given above.

I can confirm that the following works are approved subject to the conditions below and with reference to the attached photographs:

- T2 Beech – Crown lift and reduce branches growing toward the house as indicated in Photograph 8 of the Tree Assessment Report, back to suitable growing points.
- T4 Beech – crown lift through 360° up to the main crown break as indicated on the attached photograph (note Informative 4).
- T5 Oak – Crown lift by removing minor secondary and tertiary branches hanging vertically down over the garden and lift those lower branches on the north/north-east side as per Photograph 7 in the Tree Assessment report recommendation and reduce branches growing towards the house by approximately 2m back to suitable growing points.

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. This decision allows the approved works to be carried out once and is valid for two years from the date of this notice after which the consent lapses

4. 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. 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'.

2. 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

3. 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

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 or 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 refusal to allow the felling of T1 Pine, T2 Beech and/or T3 Beech or against any conditions attached to the approved works, 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

Sarah Hanson

Sarah Hanson
Natural Environment Officer