



Mr K Hart
Tamla Trees Ltd
Vintners
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Fleet
GU51 3BB

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

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4 November 2019

Your contact
is: Sarah Hanson, Planning & Building Control

Dear Mr Hart

RE: PROPOSED FELLING OF ONE CEDAR TREE AT 9 WYCHCOTES, READING - T6 OF TREE PRESERVATION ORDER NUMBER 63/06

Thank you for your application of 26 September 2019 regarding the above and supporting Tree Hazard Evaluation report dated 16 September 2019.

Further to my site meeting of 23 October with Mr Ball and my colleague Sarah Duckworth, I have the following comments:

Applications to fell this Cedar tree were submitted in 2017 (ref 171511) and 2018 (ref 181596) and both were refused. No appeal was made against either refusal. In addition, an overall reduction of 2m was allowed in 2017 along with the removal of one limb (ref 170443) - I understand that these works were carried out in October 2017.

Tree owners are free to apply for whatever tree work is deemed necessary and whenever it is deemed appropriate. However, it would be expected that any application for the same work as previously applied for, in this case felling, would only be made if there has been a material change in circumstances that would justify the Council re-assessing the situation. The content of your report is largely the same as that previously submitted and does not appear to introduce any new issues that require consideration. Your report confirms that the tree *'physiologically appears in good health given foliage density size*

and coverage' (which we agree) and states '*no gross defect noted but recently shed large structural branch*'. It should of course be recognised that the branch loss you refer to is not 'recent' but occurred in 2017 in extreme weather conditions (storm Doris) and was dealt with through the responses to the 2017 applications. It is also noted that your survey, under 'past management' notes '*no significant recent management*'. Although our definition of 'significant' may differ to yours, I would suggest that acknowledging the 2017 reduction would be appropriate in the survey, along with referring to reduction in the past tense in sections 6.15-6.16 rather than the current '*if the tree were reduced*'.

We have in the 2017 and 2018 decisions responded to the matter of risk and amenity and I would refer you to those letters, the content of which are still applicable and relevant to this current application. I attach a copy of both decisions for your reference and see no benefit in repeating comments made in either letter.

The Borough Council previously agreed (decision notice dated 5/10/19, ref 171511) with your assessment that the tree is within a 'high risk' location. Reading is a densely populated urban area and many of the trees which enhance the Reading landscape can be considered to also fall within 'high risk zones'. The felling of all such trees is clearly not a reasonable option and agreement to felling one could set an unwelcome precedent for others, to the detriment of the Borough's tree coverage. Where felling is proposed in such locations, we would still expect arboricultural justification. However, given that your report does not raise concerns about the structural or physiological condition of the tree and given our responses in previous decisions, the conclusion to fell the tree is not considered proportional.

Mr Ball advised that he likes the tree and does not wish to see it felled and that the annual inspection of the Cedar is purely for the purposes of meeting with his 'duty of care' to his neighbours, which is acknowledged. However, it does not follow that an annual application to fell is reasonable. We would suggest that any further application to fell is only made if/when there is a change in circumstance. Not submitting an application to fell should not make any difference to Mr Ball meeting with his 'duty of care', particularly when your arboricultural advice does not identify any tangible, foreseeable failures; foreseeability being significant in demonstrating risk.

The willingness and ability to plant a replacement Cedar is acknowledged. It was suggested that Mr Ball could proactively plant a new Cedar now as a future replacement if /when the felling of the existing Cedar is appropriate, in order to provide the 'sustainable landscape' to which you refer. However, Mr Ball felt that the only suitable location for a replacement was in the same location as the existing, hence he considered that proactive planting was not feasible. Given the comments on both sides to the current 'high risk' location, replacement planting in that same location may need further consideration.

In conclusion, the proposed felling is refused. If you/ your client 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

Sarah Hanson

Sarah Hanson
Natural Environment Officer

c.c. Mr C Ball, 9 Wychcotes