



Mr A Springer
28 Portway Close
Reading
RG1 6LB

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

Civic Offices, Reading, RG1 2LU
☎ 0118 937 3787

Our Ref: 190747/TPO
Your Ref:

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

17 May 2019

Your contact
is:

Sarah Hanson, Planning and Building Control

Dear Mr Springer

RE: PROPOSED WORKS TO THREE SYCAMORE TREES AT UPCROSS GARDENS, BERKELEY AVENUE, READING - SUBJECT TO TREE PRESERVATION ORDER NUMBER 69/14.

Thank you for your application of 2 May 2019, regarding the above.

Your application seeks approval to cut back all overhanging branches, i.e. to the boundary line. As discussed, this is considered to be excessive as an approach to alleviating your concerns due to the resulting impact on the appearance, hence amenity value, of the trees and multiple pruning wounds that would be created, all of which are an entry point for pathogens. The reduction of all branches back to the boundary is therefore refused.

During my visit on 14 May 2019 we discussed alternative works that would allow more light into the garden and reduce the overhang.

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

- Western most Sycamore of the three (behind shed) – remove one secondary branch (as shown) and reduce remaining canopy to appropriate growing points approximately half the way across the length of the shed
- Central Sycamore of the three – remove one small secondary stem in poor condition

- Eastern most Sycamore of the three – remove one overhanging branch (as indicated)

I understand that you have tried to discuss the trees with the Management Company (Chaneys) for Upcross Gardens but that they have not been forthcoming. I will provide a copy of this letter to them for their reference and so that they are aware of the approved works and our discussion. Please note Informative 4 below.

As advised, the Management Company should ensure that the trees do not pose an unacceptable risk to persons or property in order to meet with their 'duty of care' under the Occupiers Liability Act. I would therefore expect them to carry out work required for health and safety reasons, e.g. removal of dead, diseased or dangerous branches which pose a risk. Within the work approved above, I consider that the removal of the small secondary stem from the central Sycamore should be their responsibility given its poor condition and form. The other works are for your benefit, i.e. to allow more light into the garden, so it is at their discretion as to whether to pay for or contribute towards the cost of this. It is therefore a matter of discussion between you and them.

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 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 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

C.c. James Buckley, Chaneys Chartered Surveyors