

Mr. Mark Peto
Nicholas Estate Agents
7 Prospect Street
Caversham
Reading
Berkshire
RG4 8JB

James Crosbie
Acting Head of Planning,
Development and Regulatory
services
Civic Centre, Reading, RG1 2LU
☎ 0118 9373787

Our Ref: 190354/TPO
Your Ref:

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

27th March 2019

Your contact is:

Sarah Duckworth, Planning & Building Control

Dear Mr. Peto,

APPLICATION FOR WORKS TO A LIME (T2) AND LAWSON CYPRESS (T4) AT 16 RICHMOND ROAD, CAVERSHAM - PROTECTED UNDER TREE PRESERVATION ORDER 141/05

Thank you for your application 28th February 2019 regarding the above.

You have applied to fell a Lime (T2 of TPO 141/05) as it reduces access to the drive and future planning permission.

T2 Lime is a large specimen tree growing adjacent to the public highway and which makes a valuable contribution to the amenity provided by trees to the verdant character of Richmond Road.

The tree has been reduced in the past resulting in multiple branching now growing from the topping point at around 6m above ground level creating tight forks between the four main stems. There is a girdling root at the base of the tree which is otherwise in a satisfactory condition. The tree has an asymmetrical canopy having grown in competition with the adjacent T1 (Lime). The tree is a healthy specimen with good vitality and no significant defects which would support the removal of this tree at present.

I have noted that the tree roots have caused the foundations of the adjacent low level single-skin brick boundary wall to lift. The wall is a fairly lightweight structure, built on shallow footings (as is evident on site) and therefore will be vulnerable to displacement caused by tree root growth. This can be remedied by using piled footings when the wall is repaired. A fence or hedge could also be used to mark the property boundary and would prove more resilient to ground changes brought about by tree root growth.

I note that the tree does not currently restrict reasonable vehicle access to and from the garage. I must also advise you that the Borough Council would not permit a protected tree to be removed where it would act as a constraint to future planning permissions.

Trees offer many environmental, economical, ecological and health benefits to the area in which they are growing. As such, trees are a recognised material consideration during the assessment of planning applications in the Borough. The purpose of a Tree Preservation Order is to ensure that the trees are managed in accordance with best practice and that they cannot be legally felled in advance of a planning application being submitted in order to improve the development potential of a site. Any case for the removal of healthy trees within the site should be presented as part of a detailed planning application for the property.

For these reasons, I am writing to advise you that your application to fell T2 (Lime) to ground level has been **refused**.

The following tree works are **approved**, subject to the conditions below:

Approved works

Lawson Cypress (T4 of TPO 141/05)

- Fell to ground level

This one of two potentially large trees growing within 5.5m of the property. The outer canopy of T4 (Lawson Cypress) is currently in direct contact with the property roof and this situation will be exacerbated as the tree continues to grow and will have implications for the future management of both the tree and the property. I have also noted a number of branch defects with one of the larger lower branches on the tree having a linear split due to the loading of the horizontal branch.

Although there are two trees in this location, the TPO only protects one of the two Cypress trees (not both) and if the smaller tree were removed then the amenity of the larger tree would be compromised.

The Borough Council recognises that this is a high amenity tree with potential for future growth. However, the roots and branches of the tree are already in direct contact with the property causing an unacceptable nuisance for future occupants of the property.

The Borough Council has concluded that the proximity of T4 (Lawson Cypress) in relation to the property 16 Richmond Road is unsustainable in the long-term and in view of this the Borough Council consents to the removal of this tree, subject to the conditions below:

Conditions

1. 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. Following the felling of the tree (s) authorised by this consent, one tree a minimum of

2-3m tall or 8-10 girth shall be planted within the front garden during the planting season (Nov-March) following or at the time of the felling of the tree, whichever is soonest. The species of the replacement should be agreed in advance with the Borough Council before planting. For guidance, the replacement tree can be deciduous or evergreen but should have the potential to grow to a similar size on maturity to the tree which it replaces.

Planting should be carried out in accordance with clause 10 (Planting) of BS 8545:2014 'Trees: from nursery to independence in the landscape - Recommendations'

Should the replacement tree be removed, die or become severely damaged or seriously diseased, all within 5 years of planting, it shall be replaced by a tree of a similar size and species to that originally planted. Modifications to the requirements of this condition must be agreed in writing with Reading Borough Council Natural Environment Team.

PLEASE NOTE: The requirement to replant is the responsibility of the tree owner even if the application was submitted by another person.

Reason: To retain the present visual amenity value of the area and ensure continuity of tree coverage.

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. **IMPORTANT:** Disturbance of wildlife. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb roosting bats or nesting birds. Cypress conifers as a species provide particularly valuable nesting locations for birds and it is expedient to assume that birds may be nesting in this tree. 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

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:

If you wish to appeal against the Council's refusal of consent to fell the Lime (T2), or against any of the conditions attached to the permitted 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 Duckworth

Sarah Duckworth
Assistant Natural Environment Officer

cc. Paul Richards (Owner) via email