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Mr H Mitchla
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The Warren
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Our Ref: 180296/TPO
Your Ref:

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27 March 2018

Your contact
is: Sarah Hanson, Planning and Building Control

Dear Mr Mitchla

RE: PROPOSED WORKS TO TREES AT CHAZEY BANK, THE WARREN, READING - SUBJECT TO TREE PRESERVATION ORDER NUMBER 70/14.

Thank you for your application of 15 February 2018, regarding the above, with the suggested tree work document from Alex Darby and copy of tree works approval 150513/TPO.

Since the 2015 approval (not implemented), you have had Alex Darby look at the trees to recommend some works, albeit these were not suggested following a full tree inspection, which includes work over and above that approved in 2015. In addition, I understand that one Ash has failed and one Horse chestnut was recently felled under the 'dead, dangerous' exemption following our agreement to this - both were from G2.

During our site meeting of 7 March 2018 we effectively started from scratch and looked at T1, T2 (Willows), T3 (Pine), T4 (Ash) and G2 and discussed appropriate works to these to address concerns.

In relation to T1 & T2 Willows, these have previously been reduced/pollarded and the 2015 approval permitted a reduction back to 0.3m above the previous reduction points. Carrying this work would still be acceptable and would manage the weight of the crown of these trees. As mentioned, it appears that the root systems of these two trees may have lifted on the north side at some point in their past, hence their lean and slightly raised

ground on the north side, but they appear to have stabilised after this. The approved works, however, aims to address the lean and potential instability by taking significant weight from the crowns.

In relation to T3 (Pine), your application seeks approval to fell the tree. Whilst this evergreen tree (the only evergreen in the TPO) is placed to provide a feature to the front of the house, it appears to have lost its leader in the past. In addition, the crown lifting required to provide reasonable clearance above the driveway would detrimentally affect the appearance of the tree. It's felling is therefore acceptable subject to a suitable replacement. As discussed, a replacement evergreen in the grass area adjacent to the tennis court (see attached photograph) would be acceptable. A replacement condition has been attached to this consent.

With reference to T4 (Ash), your application seeks only to re-approve that included in the 2015 approval, which is still acceptable.

In relation to G2, Mr Darby comments that these tall trees *'could potentially cause great damage or worse to the property and people should they fall over'*, and suggests that *'many of these are poor specimens and are leaning heavily, unbalanced, often with no leader and in some cases very diseased'*. He does not provide any specific details of 'diseases' noted or issues on a tree by tree basis to inform the reader. He recommends that the trees be reduced to approximately half their existing height to *'reduce their sail area to minimise the chance of failure'*. He further recommends that 3 and a maximum of 5 (unspecified), along with a dead monolith stem be felled to *'remove poor stock'* and dead wood be removed from the White poplar. I explained that a heavy reduction would be highly detrimental to the trees, creating large wounds liable to decay, have a negative impact on their amenity and would not be acceptable without arboricultural justification, which has not currently been provided.

During my visit we looked at each tree (working from the river to the White poplar) in G2 and a cursory ground inspection was carried out. We agreed that no work was required to the first Ash due to existing clearance from the house. The second Ash (see attached photograph) has a significant area of decay from the base to the point the tree divides into 3 main stems. This decay will undermine the structural integrity of the tree and this tree, if assessed for inclusion within a TPO now, would not be included. It's felling would therefore be acceptable, however I understand that you may seek to retain it in a reduced form. The next tree (Horse chestnut) has branches growing in close proximity to the house and fairly low to the ground hence a combination of branch reduction and crown lifting was agreed as appropriate. The forth tree (Ash) did not appear to need any work done to address concerns in relation to the proximity to house or height above the driveway. The next tree (Horse chestnut) has branches overhanging the driveway and it was agreed that the reduction of these to a point in line with the aforementioned Horse chestnut would be acceptable.

In relation to the White poplar in G2, I noted a fungal bracket at the base of the tree located at an opening to a cavity. When probed, it was evident that the cavity/decay at ground level and below was extensive. Given the likely root decay, as well as basal decay, and the weak wood structure of this species, it was recommended that the tree be felled for safety reasons.

I can confirm that the following proposed works, as detailed in your amended (on site) application, are approved subject to the conditions below and with reference to the attached photographs:

- T1 & T2 Willow – crown reduce back to 0.3m above previous reduction points
- T3 Pine – fell.
- T4 Ash – tip reduce branches to give 1m clearance to all telephone wires
- G2 White poplar – fell
- G2 Ash – fell
- G2 Horse chestnut – selective branch reduction to provide 4m clearance from the house and crown lift to 4-5m above ground level
- G2 Horse chestnut – selective branch reduction of branches overhanging the driveway in line with the above Horse chestnut (post-pruning).

As we have discussed, the ownership of the majority of G2 appears to be within 'Water's Edge' rather than your property. I am aware that you have tried to keep the owner informed of tree issues on the site. Please note Informative 4 below.

In relation to the recently felled Horse chestnut (and any other failed tree), under Section 206(1) of the Town and Country Planning Act 1990, a landowner is under a duty to replace a tree which is removed because it is dead or dangerous. The duty on the landowner is to plant another tree of an appropriate size and species at the same place as soon as he or she reasonably can.

In this case the Council would expect replacement trees of a minimum 'standard' size (8-10cm girth and 2.75-3m high) to be planted along the same tree line in the planting season (Nov-March) following or at the time of felling. We would not expect Ash or Horse chestnut to be planted due to current pest and disease issues with these species.

Alternative species should be agreed.

If you feel that the duty to replant should be dispensed with in this case, please write to the Council within 28 days of the date of this letter with justification for the request

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

5. The works hereby approved to T1 & T2 (Willows) shall not be carried out in the period immediately before or during bud burst or leaf fall.

Reason: To avoid harm to the future health of the tree.

6. Following the felling of the Pine (T3), Ash (G2) and White poplar (G2) authorised by this consent, one evergreen tree shall be planted in the grass area south of the tennis courts and two native broadleaved trees shall be planted along the G2 tree line during the planting season (Nov-March) following or at the time of the felling of the trees, whichever is soonest. Each replacement shall be a minimum of 8-10cm girth and 2.75m in height and the species shall be agreed with the Council.

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. 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.

5. Removal of any dead or dangerous protected tree: This does not require the formal consent of the Council. However you are required to give 5 days notice of the work where it is not an emergency, to allow the Council to agree that the proposed works are exempt from requiring consent. The exception is where works are 'urgently necessary to remove an immediate risk of serious harm', in which case you are required to give notice to the Council 'as soon as practicable after the works become necessary'.

Once felling of a dead or dangerous tree has been carried out, the owner has a duty under Section 201(b) of the Town & Country Planning Act to replant another tree of an appropriate size and species in the same place as soon as they reasonable can. This replacement tree will be covered by the existing Tree Preservation Order. The new tree would be subject to the same requirements for a tree works application if you intend to carry out works upon it in the future.

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