



Alison Bell
Director of Environment &
Neighbourhood Services
Civic Centre, Reading, RG1 2LU
☎ 0118 937 3787

Mr Stephen Warwick
66 Conisboro Avenue
Caversham
Reading
Berkshire
RG4 7JE

Our Ref: 181340/TPO
Your Ref:

Direct: ☎01189 372440
sarah.duckworth@reading.gov.uk

21st August 2018

Your contact is:

Sarah Duckworth, Planning & Building Control

Dear Mr. Warwick,

RE: PROPOSED WORKS TO A SILVER BIRCH WITHIN THE REAR GARDEN OF 66 CONISBORO AVENUE, CAVERSHAM AND PROTECTED AS T6 OF TREE PRESERVATION ORDER NUMBER 124/05.

Thank you for your application of 1st August 2018 regarding the above.

Further to our meeting of 15th August 2018, I am writing to advise you that your application to fell T6 - Silver Birch is refused.

You advised that you wished to fell the tree due to the very close proximity of the tree to house and the damage it is causing to the roof and patio of your property. At our meeting you also advised that you have concerns about the impact the tree is having on your and your neighbour's quality of life.

I have assessed the tree and found it to be a healthy specimen tree. The base of the trunk is sound and no fungal fruiting bodies were evident at the time of my visit. The area around the base of the tree is compacted and as a result, surface roots are visible some of which have suffered some wounding. The foliage of the tree is evenly distributed throughout the canopy, and although showing signs of drought stress, this is not unexpected given the recent weather and is likely to be exacerbated by the compaction of the soil around the tree. I did not note any significant structural defects on the tree and did not identify any essential health and safety works as being necessary at this time.

You have raised concerns that the tree is causing damage to patio and roof of your property. No structural information has been submitted to support your TPO application nor was any damage shown to me during our meeting. It has therefore been interpreted that you have concerns that the tree might cause damage to the property and also regarding the ongoing nuisance of debris falling on or near the property.

The Borough Council would not usually permit an otherwise healthy tree to be felled in order to alleviate fears that property damage may occur. Residential areas in Caversham benefit greatly from the tree cover on site and permitting trees to be removed where there is no certainty that damage will occur would set an unacceptable precedent and result in the loss of many significant large trees in the area.

You may find it helpful to know that the British Geological Survey (<http://mapapps.bgs.ac.uk/geologyofbritain/home.html>) identifies the soil in this area as being Seaford Chalk Formation and Newhaven Chalk Formation (undifferentiated) - Chalk with superficial deposits of Boyn Hill Gravel Member which contains sand and gravel. As the soil in this area is not expected to include clay particles, the ability the soil to shrink and swell with changing moisture levels (and the risk of indirect damage to property which can arise as a result) is considered to be low.

Lightweight structures such as patios can be affected by movement from tree root growth due to their shallow foundations. I am not aware of any issues with these structures on or adjacent to the property at this time but where damage does occur it can usually be repaired without the need for tree removal.

On site you also advised that you would like consideration to be given to reducing the height of the tree as an alternative to removing it completely. Birch, as a species, respond particularly poorly to reductions in canopy height. The British Standard 3998 (Tree Work Recommendations) advises that Birch trees do not have a durable heartwood and have particularly weak defences against wound induced decay. As such, Birch should be pruned as sparingly as possible and without exposing the heartwood.

Reducing the height of the tree as proposed by the applicant would allow decay to spread within the structure of the tree reducing its safe, useful life expectancy and would result in the premature removal of the tree. The result is often unsightly and the harm the visual amenity and natural shape of the tree tends to be long lasting if not permanent.

In conclusion, for the reasons given, your application to remove this tree is refused and any future application to reduce the height of the tree is likely to be refused unless there is an overriding health and safety requirement for the work.

Consent has been granted for lesser works which are intended to increase the canopy clearance above ground level and reduce the overhang of branches over the gardens of both 66 and 64 Conisboro Avenue. This work is permitted subject to the conditions overleaf:

Approved tree works

T6 - Birch

- Remove 5 small lowest lateral branches back to the main trunk
- Crown lift branch tips to give 3m clearance above ground level
- Selective reduction of extended lateral branches over the garden of 64 Conisboro Avenue and growing towards 66 Conisboro Avenue back in line with the remaining canopy to leave a natural looking canopy shape. Each branch reduction will not exceed 1.5m and will be made to the nearest available reduction point.



Fig. 1&2 Images showing the lower branches to be removed and indicative extent of permitted lateral canopy reduction.

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. 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. 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 030 6000

3. You are advised that this decision is valid for one pruning operation to be undertaken within two years from the date of this notice after which the consent lapses and a new application will be required.

If you wish to appeal against any of the conditions attached to this consent, or against the Council's refusal of consent to fell the tree, 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