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Mr M Dodd
10 Russet Glade
Emmer Green
Reading
RG4 8UJ

Our Ref: 171198/TPO
Your Ref:

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

4 August 2017

Your contact
is: Sarah Hanson, Planning and Building Control

Dear Mr Dodd

RE: PROPOSED WORKS TO THREE ASH TREES AT 10 RUSSET GLADE, READING - SUBJECT TO TREE PRESERVATION ORDER NUMBER 33/02.

Thank you for your application of 13 July 2017, regarding the above.

Further to my visit on 1 August 2017, I can confirm the following:

Of the three Ash trees in question, the two closest to the house are dead therefore formal approval for their removal is not required. Please note informative 3 below with regard to the duty to replant. In this case, replacement with 2 native trees of a minimum 4-6cm girth (2.1-2.5m in height) would be reasonable. I understand that you are considering planting an evergreen. As advised, the UK only has two evergreen trees those being Yew (*Taxus baccata*) and Scots Pine (*Pinus sylvestris*). If you feel the duty to replant should be waived in this instance, please write to me with reasons.

The following proposed works, as detailed in your application, are approved subject to the conditions below:

- Ash near the rear boundary with the longitudinal, open wound from the base and internal decay – fell.
This tree's condition was noted in 2013 during my visit to assess application 131385/TPO. Felling of this tree was approved as part of that application. I

understand that you have kept the tree as you do not consider it poses a significant threat given its distance from your neighbour's house in Tower Close and that you are still considering retaining the tree. It does appear that the tree is not within falling distance of your neighbour's house but it would cover a significant portion of their garden's length if it fell in that direction and could harm persons or property.

The wound has good reaction wood growth around it to strengthen the sides of the opening and the tree still has a live crown. It is sheltered by surrounding trees and the small crown does not present a large 'sail area', albeit the crown is confined to the top of the tree due to the suppressed growth form, i.e. as a result of competition from surrounding trees, which then exposes the top to the wind.

It is possible that the tree could survive and remain standing for years, however the extensive amount of decay and large open wound are unquestionably a defect in the tree which presents a weakness in its structure. If you retained the tree, it would have to be with this knowledge and if it failed, resulting in harm to persons or property, it is probable that you would be found negligent as a result of failing to address a known issue with the tree, hence liable to legal action and costs.

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. Following the felling of the tree authorised by this consent, one native tree of a minimum 4-6cm girth and 2.1m in height shall be planted within the rear garden during the planting season (Nov-March) following or at the time of the felling of the tree, whichever is soonest. 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. 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
Natural Environment Officer