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Your Ref:

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16th July 2024

Your contact is: Andrei Nazare, Planning, Transport & Public Protection

Dear Dr Antino,

RE: PROPOSED FELLING OF ONE SYCAMORE TREE AT 58 BATH ROAD, READING - T32 OF TREE PRESERVATION ORDER NUMBER 36/003.

Thank you for your application of 24th May 2024, regarding the above.

You have applied to fell one Sycamore tree due to alleged ill health and due to branches blocking access ways to the property. Your application is accompanied by 2 letters from yourself (one to Mr Philips on 23rd May 2024 and one to Planning Department on 3rd July 2024) and an Arboricultural and Resi PD400 Report dated 24th June 2024 referred to below as 'the Report'.

Your 3rd July 2024 letter offers your interpretation of the Report and also notifies the Council about damage caused to the tree by a refuse collection lorry on 27th June 2024. We have advised our colleagues in Environmental and Commercial Services about this notification.

On 11th July 2024, my colleague Sarah Hanson and I visited the property to look at the tree and will discuss our observations below, in parallel with the submitted report.

With reference to the **Arboricultural and Resi PD400 Report Ref. AC.2023.409** issued by Arbor Cultural Ltd dated 24th June 2024, the following are noted:

Paragraph 5.2.1 states '*I was not given access to any previous tree inspection records or tree work recommendations*'. This is in line with our records which indicate the Council has not received any tree works applications until the one being discussed here.

Six Resi PD 400 drills/tests (decay detection) have been carried out for the four cardinal

points at a height of 1.3m on the trunk as well as for two large, low branches growing toward the access driveway. The Report states: *'the Resi PD400 tests indicated that there was no decay or strength loss of any kind in either of the two low branches or in the trunk at 1.3 m.'*

In relation to the overall condition of the tree, the findings of the Report state *'there were some areas of deadwood and dieback, and there was some necrotic bark, and black staining on the exposed sapwood areas'* and *'the tree was in a declining condition'*. While we were able to note some deadwood and necrotic bark and black staining during our visit, this was confined to the dead branch stubs (identified in a photograph below) and the declining condition mentioned in the report was not evident. As shown on the photographs taken during our visit as well as those included in your 23rd May 2024 letter to Mr Philips, the tree presents a full, healthy crown and dense canopy. In addition, in the same letter your comments indicate the tree has, if anything, shown significant growth in the past years: *'[...] the tree has not unsurprisingly grown over the past 11 years [...]'* and *'a simple comparison [...] indicating the growth spread of the current branches of T32, shows the extent of uncontrolled growth.'*

The noted dieback and dark staining have been attributed by the Report as caused by the Sooty Bark Disease (*Cryptostroma corticale*), a condition that affects physiological health of the trees, not their structural condition. *'This can initially result in wilting and ultimately death, but it will not cause any decay or structural weakening'*. As such, the Report's recommendations relating to this finding state *'the condition of the tree, and any further dieback or dark staining should be monitored in future inspections'*.

The Report addresses the issue of the two low branches that extend over the driveway causing access to be hindered or obstructed. It states: *'It is proposed to cut these branches back to the locations indicated on Images 9 and 10 in Appendix III, to remove the overhang of the driveway, because this will prevent any further vehicle damage occurring to the tree. This is recommended to be completed within the next six months subject to obtaining the required permission from Reading Borough Council.'* While on site, we confirmed that carrying out the recommended works will address the access matter.

We consider that the Report demonstrates a lack of justification for felling the tree and note the recommendations it arrives at are reducing two branches to facilitate access and re-inspection within the next 2 years.

Your letter of 3rd July provides your interpretation of the Report, with 3 main conclusions summarised as: 1) the tree is declining and will have to be felled in the near future, 2) risk of injury as a result of vehicles colliding with branches and 3) the tree does not contribute to the area.

This letter addresses and refutes your conclusions. In addition to comments above, further commentary on your letter is offered below.

In conclusion, for the reasons discussed above, the proposed felling of the T32 Sycamore tree is refused.

Further to the recommendation for reduction of two branches included in the Report and following our discussion with our colleagues in Environmental and Commercial Services regarding necessary clearance for access, lesser works can be approved.

I can confirm that the following lesser works on one Sycamore tree are approved subject to the conditions below and with reference to the annotated photographs:

- 1x Sycamore tree (T32 on application and on TPO)
 - Reduction of one low branch to take it back past road edge (see annotated photo 1)
 - Crown lift to 4-5m above driveway level by a combination of secondary & tertiary branch removal and branch reduction (to suitable growth points).

We also consider this application as notification for removal of deadwood from the tree.

As you've submitted a professional report to support the application, we've taken that as evidence for or, in this case, against the proposed felling. However, thank you for your letter of 3rd July and for sharing with us your letter to Mr Philips of 23rd May. I am responding below to some of the points you've raised in these two letters.

In relation to your 23rd May letter to Mr Philips:

You stated *'[...] the tree has not unsurprisingly grown over the past 11 years due to the TPO preventing any controlled measures from being undertaken. The TPO is now damaging what it sought to protect'* and *'These issues are ironically as a direct consequence of the TPO which prohibits any work being carried out to the tree.'* For clarity, the existence of a TPO does not prevent any and all works from being carried out to the tree - it only means that permission must be sought and obtained from the Council before the intended works can be carried out. This is demonstrated by the approved lesser works listed above.

'[...] Bark is falling away from the trunk and branches.' While this might be partially caused by the suspected Sooty Bark Disease, it is also a characteristic of mature Sycamore trees. Their Latin name *Acer pseudoplatanus* refers to similarities with London plane trees, in this particular case the flaking of the bark (in larger patches in the case of London Plane trees).

'A tree's roots will generally grow to 1^{1/2} times its current height, accordingly that would place tree roots extending from a substantial spread across the whole of your site extending through and potentially trespassing onto neighbouring properties.' This is an inaccurate oversimplification of the expected root growth. With regards to information on trees, their rooting system and development, the British Standard 5837:2012 (section 4.6) and NHBS Chapter 4.2 are good sources on this matter.

'The grass around the tree directly below the canopy is struggling to thrive this is due to the vast amounts of moisture being withdrawn from the ground to fee[d] the tree'. Grass

generally does not do well under the canopies of large trees with low and dense crowns (i.e. heavy shaded area); in any case, the biodiversity, climate change mitigation, rainwater runoff retention and delay benefits of a large, mature Sycamore tree far outweigh the benefits of an equal area of grassland.

‘That can have an impact on other vegetation in your property and more importantly destabilize the water table level.’ You do not identify what the ‘*impact on other vegetation*’ is. All trees draw water from the ground they grow in, in itself, this is not a reason to fell a tree.

In relation to your 3rd July letter to Planning Department:

‘[...] T32 being located in the front garden of a lawn close to and overhanging a driveway, causes our clients considerable issues with regards to safe access’. This matter will be addressed when the lesser works approved under this application are carried out.

‘The tree has been categorised as in a low in target area [...]’ - this observation is a positive one. In tree hazard assessment, the target area refers to persons or property or other things of value which might be harmed by mechanical failure of the tree or by objects falling from it. As such, stating that the tree has a low target area is not a reason for felling the tree.

In relation to the refuse collection lorry damaging the tree on 27th June, you state: *‘However, we would anticipate that the accident should have been reported under health and safety laws and that the appropriate damage to the vehicle has all been recorded within the local authority’s accident reports.’*

Our colleagues in Environmental and Commercial Services confirmed this incident has been reported internally: *There was a minor incident on 27/06/24 where the top of the lorry grazed the tree and a branch fell and hit the vehicle but only caused a sensor to be knocked out of place which was fixed within 5 minutes by our fleet department.*

Your client should’ve been notified about the damage caused to the tree, however, I am not sure why this wasn’t done. For clarity, the damage in question amounted to a small secondary branch having broken off - a small wound (on a less than 5cm diameter branch) was visible during our visit. This does not affect the overall health of the tree - but future incidents should be avoided - this will be addressed by carrying out the approved lesser works to create the necessary clearance. This has been confirmed by our colleagues in Environmental and Commercial Services as 4m above ground level.

In relation to the value of the tree, Section 4 of the Report is confusing as it appears to refer to more trees than just the one in question and the CAVAT value given in 4.11 is not the calculation shown in 4.6 so it is unclear how the value is arrived at. In any case, the tree contributes to the verdant character of the area. It is located within the designated Air Quality Area and the Bath Road is a ‘treed corridor’ - both being priority areas for tree retention and planting in our adopted Tree Strategy. Its retention is therefore fully justified, particularly given the lack of arboricultural evidence for felling.

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. 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. 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. 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'.

3. 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

4. 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

If you are aggrieved by the refusal of consent for the proposed felling or by any of the conditions attached to this consent, you may appeal this decision within 28 days of receipt of this letter. To obtain the relevant forms contact the Planning Inspectorate via the contact info below:

Trees and Hedges
Room 3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay

Bristol
BS1 6PN
Telephone: 0303 444 5000
E-mail it to: treeandhedgeappeals@planninginspectorate.gov.uk
Website: [Tree Preservation Orders and trees in conservation areas - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

If you require any further assistance, please do not hesitate to contact me on the above number.

Yours sincerely,

Andrei Nazare

Andrei Nazare
Assistant Natural Environment Officer
On behalf of Sarah Hanson, Natural Environment Officer

C.c. Mr Philips, 58 Bath Road (via e-mail)

1. Potential pruning point of low branch to take it back past road edge



2. Dead stubs on south side that could be removed

