



Mr Ian Kendrick
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28 February 2025

Your contact
is:

Sarah Hanson, Planning, Transport & Public Protection

Dear Mr Kendrick

**RE: PROPOSED FELLING OF ONE SILVER BIRCH TREE AT 5 SPRINGFIELD MEWS, READING
- T4 OF TREE PRESERVATION ORDER NUMBER 24/07.**

Thank you for your application of 18 January 2025 regarding the above, submitted on behalf of Dr Pimenta.

Your application was supported by 9 reasons for felling, as follows:

1. Height approximately 35m
2. Within close area to 5 Springfield Mews
3. Starting to move boundary wall
4. Constant rubbish falls from tree causing damage to cars
5. Causing problems to streetlight
6. Causing problems to overhead cables
7. Tree has outgrown the site
8. Replace with small, ornamental tree after
9. T4 will be coming to end of natural life

In my initial acknowledgement of 21/1/25 (prior to visiting) I sought clarity on a few of the reasons, as follows:

I have some initial thoughts on the above reasons that perhaps arise from a lack of detail about each reason - it would be helpful if you could respond to the following:

1) 35m would be exceptionally tall for a Birch but in any case, height in itself would not be a reason to fell. Is this a concern in itself and if so why, or is it part of the overall picture?

3) boundary wall - what evidence is present? Can you elaborate so I know what I'm looking for when visiting?

4) By 'rubbish' I assume you're referring to normal tree debris - leaves, small branches etc?

5 & 6) no comment is given as to whether pruning could alleviate these issues

7) can you elaborate?

9) Birch live at least 40-60 years - I suspect the houses (hence trees) are on the lower limit of that range. You have not commented on its physiological health - did you have any comment on its condition?

In your email of 23/1/25 you responded to the above as follows:

1. The tree is about twice the height of a 2 story house with a very steep pitched roof so it could be more 25-30m tall. The tree is very close to the house and with a prevailing westerly wind will flex towards the house. If it was to fall over it would hit the property.

2. No question asked

3. There are small cracks showing in the mortar joints of the wall which I would think shows root heave to the wall/foundations.

4. There is constant debris drop from the tree that has caused minor damage to cars within the area.

5 and 6. Pruning could be done to alleviate these issues but with the rapid regrowth of a silver birch we would be in the same situation in a short period of time.

7. When you make a site visit you will clearly see how the tree has outgrown the area.

8. No question asked.

9. There are no clear signs of decay, but birch trees often can have failing root systems.

Following my visit of 28 January 2025, I asked the following:

It is suggested that the tree has outgrown the site and that this would be clearly evident on site - it was not, hence any elaboration on this would be welcome.

In relation to the boundary wall, I was not able to identify the cracks referred to so would be grateful if you could point these out [I attached photos for your annotation].

In relation to debris on the cars, I noted the car parked on the driveway (in front of the garage), which is outside the canopy spread of the tree. For clarity, is the issue in relation to a car parked there, or when a car is parked on the 'road' outside the house (and under the tree)?

Would you be open to consideration of a height reduction instead of felling (along with some pruning to clear wires, light and wall)? Whilst I would not normally recommend a height reduction on a Birch, it would mean retention of an established tree [I suggested a height reduction in an annotated photo].

In your email of 31/1/25, you responded as follows:

1. The tree is now vast in size and being such close proximity to the properties, wall,

street furniture and road.

2. The boundary wall I could see hairline cracks in the mortar joints.

3 and 4. Please see reply from applicant.

The applicant's responses were (partially redacted):

I can confirm that my car is usually parked under the tree canopy on the road opposite our driveway. It was not present on the day of your visit. This car and my son's car have been damaged by falling branches.

In addition during the stormy winds the movement of the tree towards our bedroom windows cause distress.

We often push our granddaughter's pram in front of the house and branches have fallen onto her pram.

As Ian has stated pruning the Birch tree would not alleviate these issues for long due to its rapid growth. Furthermore, the amount of pruning involved to prevent damage to people, property, clear wires and road lights would be considerable and unlikely to leave a very pretty looking tree.

In heavy winds I can no longer sleep as the branches move very close to our bedroom windows.

We are happy to plant another tree in place of the Silver Birch.

As you are aware, the applicant has provided me with additional, personal reasons for the felling which he has indicated should be a priority in considering the felling. I will not expand on these in this letter as it will be a publicly viewable document, but please be assured that I have digested these reasons and in response, specifically to these, I acknowledge that the natural nuisance factors from the tree will add additional challenges, particularly if parking on the road, rather than the driveway. When considering whether the felling of a healthy, protected tree is justified, i.e. to consider whether the reasons put forward outweigh the harm to amenity from the felling, it is important for officers to consider whether allowing felling would set an unwelcome precedent. In this case, it is relevant to consider whether the personal reasons put forward are so significant that it is unlikely that any other tree owner could use similar reasons, such that felling is clearly justified in this case but could easily be refused in others.

I sought clarity from the applicant on the replacement (if felling was allowed) and asked: *In relation to a potential replacement, I asked for your thoughts because when a tree is felled, the default requirement is to replant with one of equal ultimate size, but I'm assuming this would not be acceptable to you given the concerns you have raised?*

The response was:

Agree the ultimate size of tree would be a problem however I am sure a sensible compromise can be organised in due course. But I would not want to cause any other families that may live here in future to undergo the same distress.

Given the responses provided, I have the following comments on the reasons put forward in support of felling:

- Height approximately 35m - whilst it is appreciated that the proximity and height

of the tree may cause some concerns; height, in itself, is not a reason to fell a healthy tree. Trees are genetically predisposed to be a certain height and without any arboricultural evidence to suggest that it is dangerous, this is not considered a reason to allow felling. It is also not appropriate to allow felling on the basis that the tree would hit the house IF it failed (in that direction). Felling on these grounds would also set an unwelcome precedent for multiple, similar trees across the borough.

- Within close area to 5 Springfield Mews - refer to the above.
- Starting to move boundary wall - you advised of '*small cracks showing in the mortar joints of the wall*' which you considered shows '*root heave to the wall/foundations*' [the wall is approx. 1m from the trunk]. I could not see these on site and requested that you indicated, by annotating photos provided, where these were. You advised in response that you '*could see hairline cracks in the mortar joints*' - no annotated photos were provided, nor evidence linking the tree to any damage to this old wall.
- Constant rubbish falls from tree causing damage to cars - you advised that '*there is constant debris drop from the tree that has caused minor damage to cars within the area*'. This 'natural debris' statement has not been quantified in terms of frequency or severity hence it is difficult to apportion any particular weight to this argument or to determine if it is significantly worse than other tree owners experience. Our records show that no application to carry out works to this tree has been received since 2020 (previous owner) hence there appears to have been minimal intervention to alleviate concerns.
- Causing problems to streetlight - you acknowledge that pruning could be carried out to alleviate this, albeit you consider repeat pruning would be required '*in a short period of time*' (not quantified).
- Causing problems to overhead cables - as above for the streetlight.
- Tree has outgrown the site - I advised that this point was not clear from my visit and you advised that '*The tree is now vast in size and being such close proximity to the properties, wall, street furniture and road*'. Please refer to my comments above regarding the height and proximity. I do not agree that the tree is an inappropriate size for its location.
- Replace with small, ornamental tree after - if felling were agreed, it is clear that only a significantly smaller species replacement would be acceptable to the applicant, hence felling would remove the amenity value the Silver birch provides and would not be replaced.
- T4 will be coming to end of natural life - the tree was likely planted as part of the landscaping for the development of Springfield Mews. It is not yet mature and could have decades of life left. The suggestion that the tree would respond vigorously to pruning (as above) is arguably contrary to this reason that it is at the end of its natural life, at which point you would expect trees to not respond favourably to pruning.
- Applicant's personal reasons for felling - these are acknowledged however it is difficult to appreciate how similar reasons could not be used across the borough, albeit the detail would differ. As such, allowing felling on these grounds would set an unwelcome precedent and could result in further tree loss.

It is relevant to note that the applicant is a relatively recent occupant of the property, with our file indicating correspondence with the previous owner up until 2020. The tree was clearly present on purchase and should have been considered at that time - I am unaware if the personal reasons for felling were applicable then.

The tree is one of a row of 8 trees along the frontage of Springfield Mews within the same TPO, which includes another Silver birch, and is located within the Surley Row Conservation Area; such areas being a higher priority for tree retention and planting in the Council's adopted Tree Strategy. The loss of this tree and replanting with a smaller species would be contrary to the canopy cover aims of the Tree Strategy. The felling has not been justified on arboricultural grounds and no compelling reasons for felling have been provided, nor any that would not set an unwelcome precedent for similar tree loss across the borough.

In conclusion, the proposed felling of T4 Birch is refused.

The paragraph below advises on the appeal process, should you wish to appeal against the refusal. I am conscious of the fact that the Planning Inspectorate are taking an extraordinarily long time to process tree appeals so wish to advise that I have considered this fact in determining the application, insofar as I have taken a significant amount of time (compared to other applications) to consider the matter and have obtained input from the Development Manager (Planning & Building Control).

If you wish to appeal against the Council's decision on this matter, please contact the Planning Inspectorate within 28 days of receipt of this letter to obtain the relevant forms:

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 \(www.gov.uk\)](https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas)

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 Hanson

Sarah Hanson
Natural Environment Officer

C.c. Dr N Pimenta, 5 Springfield Mews