



Appeal Decision

Site visit made on 20 May 2025

by Margaret Wright BSc (Hons) MSc MArborA

an Inspector appointed by the Secretary of State

Decision date: 19th June 2025

Appeal Ref: APP/TPO/E0345/9429

Chancery Mews, 44-46 Russell Street, Reading RG7 2AZ

- The appeal is made under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 against a refusal to grant consent to undertake works to a tree protected by a Tree Preservation Order (TPO).
 - The appeal is made by Fleur Howells against the decision of Reading Borough Council.
 - The application Ref: 221070/TPO, dated 20 July 2022, was refused by notice dated 14 November 2022.
 - The work proposed is T1 & T2 - a reduction of the height by approx. 6-10ft/2-3m and a reduction of the crown by approx. 6-10ft/2-3m.
 - The relevant TPO is the Reading Borough Council – Chancery Mews, 44/46 Russell Street, Reading Tree Preservation (Variation) Order No 20/06, which was confirmed on 2 April 1986 and varied on 16 February 2006.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The tree is referred to as two trees within the application and one tree within the Council's decision notice. My site visit and inspection of the tree found two stems emanating from ground level and I shall consider them as one tree for the purposes of this appeal. I am satisfied that doing so will not lead to prejudice to either party.
3. The Council has issued a split decision; granting approval for the crown thin, crown lift, crown clean and removal of basal and epicormic growth as originally applied for. Consent was refused for the proposed crown reduction in height and spread, although lesser works were permitted to cut back the southern canopy to provide 1m clearance from the building. The appeal relates solely to the refused elements of the application, and I have considered it on that basis.
4. The approved works do not appear to have been implemented. For the avoidance of doubt, my decision does not affect the carrying out of those previously approved works.

Main Issues

5. The main issues in this case are the effect of the proposed works on the character and appearance of the area, having particular regard to the contribution the tree makes to the Castle Hill/Russell Street/Oxford Road Conservation Area, and whether sufficient justification has been demonstrated for the proposed work.

Reasons

6. The appeal tree is a mature yew situated in the central courtyard of Chancery Mews. It is a substantial and visually striking specimen, providing a focal point within the landscaped setting. Its contribution is all the more significant given the general scarcity of large or mature trees within the immediate locality.
7. While I accept that the tree is only partially visible from Russell Street, clear views can be gained from Chancery Mews itself, where it contributes positively to the character and setting of the development.
8. To reduce the crown by up to 3m in height and spread would remove a substantial proportion of the functional canopy. When combined with the approved crown lift and crown thin, I consider the proposed reduction would be excessive and these works would diminish the tree's appearance and, in turn, its positive contribution to the character and appearance of the area. Accordingly, any proposal for such intervention must be supported by clear and proportionate justification and it is to that, the second main issue, to which I now turn.
9. Reference has been made to the risk of damage arising from snow accumulation. However, no arboricultural or structural evidence has been submitted to demonstrate that the tree is structurally compromised or unusually prone to failure. Snow events of sufficient intensity to cause damage to trees are relatively infrequent in the south of England. In the absence of robust evidence of foreseeable risk, I cannot conclude that the works are necessary on safety grounds.
10. Accordingly, I find the proposed crown reduction is not supported by compelling arboricultural justification and I am satisfied that the lesser works already approved would address the concerns raised. On this basis, I do not consider the additional reduction works to be necessary or proportionate.

Conclusion

11. With any application for works to a protected tree, a balancing exercise must be undertaken. The proposed works and reasons in support must be convincing and conclusive, particularly where the proposal would result in harm to the appearance and health of the tree and subsequently, its contribution to the conservation area.
12. In considering all matters raised, I am satisfied that the tree contributes to the appearance and character of the conservation area and that the proposed work is likely to have a detrimental impact on this contribution. No evidence has been submitted to justify the proposed works over and above what has already been approved. I therefore conclude that the appeal must fail.

Margaret Wright

INSPECTOR