

Tel: (0118) 974 6000
Email: development.control@wokingham.gov.uk
Date: 28 March 2025
My ref: CY/TPO/923/1998/250215



WOKINGHAM BOROUGH COUNCIL

Nathan Cantell
Beechwood Tree Care Ltd
2 Playhatch Farm Cottages
Playhatch
RG4 9QX

Place and Growth
Development Management Team
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000

Dear Nathan Cantell

TREE PRESERVATION ORDER NUMBER: 923/1998

APPLICATION NUMBER: 250215

SITE ADDRESS: LAND ADJACENT TO POPLAR LANE, WINNERSH, WOKINGHAM, RG41 5PD

I am writing to you regarding your application to carry out works to tree(s) located at the subject site, which was received on 30th January 2025 and validated on the 3rd February 2025, and following the Council's Arboricultural Officers site visit on the 20th March 2025.

I can confirm Wokingham Borough Council **refuses consents**, to the following works, being carried out to tree(s) included in the above-mentioned Tree Preservation Order (TPO):

Proposed Tree Works to Single 18 of TPO 923/1998

T1 (T18 of TPO), oak

- crown reduction of lower and mid canopy growing towards no. 6 Meadow View by 1.5-1.75m

Reasons stated for works:

1. The proposed works will help to prevent future conflict with the building.
2. The pruning will allow more light into the garden and property.

Reasons stated for refusal:

When looking to undertake works to a protected tree it is the responsibility of the applicant to supply adequate proof with the TPO application, in the form of 'written arboricultural advice or other diagnostic information from an appropriate expert.' To date, no detailed arboricultural information has been submitted to demonstrate that the tree is dangerous or diseased or that the proposed crown reduction stated above is in the interests of health and safety.

Works to trees can usually be justified if parts of a tree are actually or can (for example through wind movement in the canopy) come into contact with people and/or structures. These works

would be undertaken to prevent damage to the tree and to the person and/or structure. However, there is no branches of the tree in close proximity to the property.

Wokingham Borough Council does not usually permit pruning works to alleviate shading as this is an inevitable consequence of trees in residential areas. Allowing trees to be pruned for this reason would set an unacceptable precedent when it comes to looking at similar applications in the future.

The Council has concluded that the proposed works as outlined (above) in your application, would be excessive and harmful to the health and wider amenity of the trees. No evidence has been submitted to demonstrate the works are necessary for health and safety reasons.

Due to the reasons stated above your application has been refused.

Any future applications submitted providing clear evidence and justification for additional tree works, if required, will be duly considered.

I can confirm that Wokingham Borough Council **consents, with conditions**, to the following lesser work being carried out to the tree(s) included in the aforementioned TPO:

Proposed Tree Works to Single 18 of TPO 923/1998

T1 (T18 of TPO), oak

- Remove major deadwood (branches over 50mm at source and 300mm in length) (exempt)
- Crown lift to approx. 4.5m including removal of 1 no. primary limb (as shown on photograph submitted with application)

The consent is granted subject to the following conditions:

1. The above works must be completed before **28 March 2027** and in the event of the works not being completed by that date, further consent will be required.
2. Work must be carried out in accordance with British Standard 3998 – 2010 ‘Tree work - Recommendations’. All pruning cuts to be taken back to suitable growth points.
3. Climbing spikes shall not be used whilst undertaking any form of works on living trees, except on trees to be felled.

Reasons for conditions 1-3

1. To ensure that our records remain accurate.
2. To ensure the health, safety and visual amenity of the tree(s) and ensure works are undertaken in accordance with recognised arboricultural good practice.
3. Spikes can cause extensive long-term damage to trees.

Informative:

If you are aggrieved by any of the conditions attached to your consent, you may appeal to The Planning Inspectorate (PINS). Because of coronavirus (COVID-19), you currently can only make a planning appeal online. You cannot currently apply by post.

For more information go to:

<https://www.gov.uk/government/publications/tree-preservation-order-appeal-form>

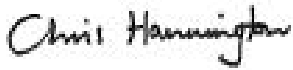
Telephone: 0303 444 5570 or e-mail it to: treeandhedgeappeals@planninginspectorate.gov.uk

Your appeal should be received within one month of receipt of this decision or any such longer period as the Planning Inspectorate may allow.

You are advised that this letter is in respect of the **Tree Preservation Order only** and it does not imply that consent would be forthcoming from the owner of the tree(s) or any such other persons from whom consent would be required.

If we can be of any further assistance, please contact the Tree and Landscape Officer via email to: development.control@wokingham.gov.uk

Yours sincerely,

A handwritten signature in black ink that reads "Chris Hannington". The signature is written in a cursive style with a large 'C' and a long horizontal stroke at the end.

Chris Hannington
Trees and Landscape Team Manager

Please note that your attention is drawn to the following information:

Bird Nesting Season and Presence of Bat Roosts

In accordance with the Wildlife and Countryside Act (1981) and Countryside Rights of Way Act (2000), consideration must be given to the timing and type of tree work operations, to avoid causing disturbance to any nesting birds or bat roosts that may be present within the tree(s).

The Act makes it an offence (subject to exceptions) to intentionally kill, injure, or take, possess, or trade in any wild animal listed, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places.

It is advised that all non-urgent major tree work and hedge cutting operations are undertaken at a time to avoid disturbing nesting birds during the breeding season (to which the bird nesting season is considered to be from March to July). Where bats are suspected to be present, it is recommended that advice first be sought from a licenced bat specialist and if appropriate, the relevant licence(s) be obtained before any major tree work or hedge cutting commences.

Further information can be found at the following:

DEFRA (Department for the Environment Food and Rural Affairs)
Tel: 08459 33 55 77 or by email at helpline@defra.gsi.gov.uk
Website: www.defra.gov.uk/

Natural England
Tel: 0845 600 3078 or by email at enquiries@naturalengland.org.uk
Website: www.naturalengland.org.uk

Bat Conservation Trust
Tel: 0845 1300 228 or by email at enquiries@bats.org.uk
Website: www.bats.org.uk

Forestry Act 1967 and Felling Licences

If it proposed to fell a tree or trees greater than 5 cubic metres or sell more than 2 cubic metres of timber in any calendar quarter, a Felling Licence from the Forestry Authority may be required.

Please note that Felling Licences are not required to remove trees from domestic (residential) gardens. Where you are the landowner of large pieces of land with numerous trees, clarification from the Forestry Commission may be required as to whether a Felling licence is needed.

For more information on Felling Licences, please speak to the Woodland Officer at the Forestry Commission on 01296 696543

Further Information can be found on the Forestry Commission Website:
www.forestry.gov.uk