



Planning Inspectorate

Appeal Decision

Site visit made on 14 May 2026

by **A J Engley** M.Arb (RFS) F.Arbor.A M.I.Hort M.I.C.For AARC

an Inspector appointed by the Secretary of State

Decision date: 5 June 2026

Appeal Ref APP/TPO/X0360/11035

6 Lupin Ride, Crowthorne RG45 6UR

- 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 work to a tree protected by a Tree Preservation Order (TPO).
 - The appeal is made by John Bates against Wokingham Borough Council.
 - The application Ref: 252428 dated 8 October 2025 was refused by notice dated 5 December 2025.
 - The work proposed is T3 Oak: Crown lift to approximately 8m by removing 2 no. lower branches overhanging 98 Hatch Ride.
 - The relevant TPO is The Wokingham District Council (Parish Of Wokingham Without) Tree Preservation Order No.927/1998 which was confirmed 8 July 1998.
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Decision

1. The appeal is allowed, and consent is granted to crown lift T3 to 8m by removing 2 no. lower branches overhanging 98 Hatch Ride, in accordance with the application Ref: 252428 dated 9 October 2025, subject to the following conditions:
 - 1) The work for which consent is hereby granted shall be implemented within two years from the date of this Notice of Decision.
 - 2) All work shall be carried out in accordance with British Standard BS 3998: 2010 *Tree Work – Recommendations*.

Preliminary matters

2. For the avoidance of doubt, at my site visit I requested the appellant identify to me both the appeal tree and the locations of the two branches to be removed. At no time did we discuss any of the merits of the appeal.

Main issues

3. The main issues in this case are the effect of the proposed tree pruning on the character and appearance of the area and whether sufficient justification has been demonstrated for those works.

Reasons

4. Turning to the first main issue, Hatch Ride is a busy main road through a rural residential area on the northerly outskirts of Crowthorne; Lupin Ride is a

circuitous feeder route off Hatch Ride that winds through a modern residential development, located north of the wooded Bigshotte Park and the grounds of a school located to the south of the main road.

5. No 6, is constructed on the westerly side of the road, its rear garden has a narrow linear tree group that contains T3 the appeal tree, it grows along the rear boundary fence that backs onto 98 Hatch Ride. These trees are outer fringe components of the large southerly wooded parkland, and school. They form a distinct recognizable group.
6. No 98 is a modern detached house with a modest sized rear garden. Locally, are many similar good quality houses, interspersed with evergreen and deciduous trees that lend the area a strong verdant quality and make a positive contribution to the leafy landscape of the wider area, its character and appearance.
7. T3 is a healthy middle-aged oak tree growing as an inner component of the boundary group. The trunk has a slight natural lean towards the rear elevation of No 98; it supports a dense crown that interlinks with its close-by companions. The first branch of the two proposed for removal arises at 4m, it is a small limb that faces the house.
8. Above which is a larger, more substantial branch growing horizontally above the garden level, the outer foliage tips spread to within 1.5m spatial distance from the eaves of No 98, it grows just beneath a shorter, but similar upper crown limb.
9. Given the above, the proposed pruning would reduce the mid-crown overall branch spread, it would slightly erode the local sylvan landscape of the area, therefore give rise to a minor loss to its character and appearance. However, the visual amenity loss would be barely noticeable from any vantage points and mitigated by the anticipated shoot regrowth and foliage backdrop of T3.
10. T3 contributes positively to the verdant scenery of the locality, in an area clearly defined by its mature wooded landscape that provides an attractive space in which to live and work, it should be accepted that it is an integral part of that environment.
11. Consequently, any reasons given to justify the work needs to be convincing, it is to these reasons, the second main issue, to which I now turn.
12. The arguments before me are the work is not justified when more modest work by selecting minor cut positions, would resolve the issues without harming the tree or its shape.
13. I accept squirrels are agile animals adept at using branches for access and foraging purposes; however, the upper larger branch is in an alignment and close to the roof tiles, guttering and attic, therefore the existing narrow gap readily provides good access points for squirrels.
14. I could see that by greatly increasing the spatial distancing gap between foliage and eaves would be sufficient to prevent long-term squirrel access and potential property damage.

15. The crown reduction proposals would create two fresh trunk lesions, which increases the risk of potential decay entry through the wounds that could be harmful. However, the tree species has durable heartwood, it grows with good vitality; therefore, pruning wounds, properly carried out to British Standard 3998: 2010, would be expected to internally compartmentalise, reducing any risk of internal decay spread, and potential harm to the tree
16. Trunk and crown shapes are naturally influenced by the nearby trees, mainly due to exposure to available light levels and any history of pruning. Therefore, a slight lean is not unusual and to be expected with any normal individual tree growth patterns when they would have laid down adaptive compensatory woody tissue, providing timber strength and maintaining its structural integrity.
17. The crown shape of T3 is typical of grouped specimens, there is no detailed evidence before me, and I could see no reasons why the proposals would adversely affect its current, or future structural integrity, crown balance, or its positive contribution to the local tree grouping.
18. The Council has approved the removal of epicormic growth and pruning to provide a 5m height clearance from ground level, and branch tip reduction of low lateral growth by no more than 2m. However, in my view the rapid regrowth to be expected from this tree, would quickly fill the gap between these outer branch tips to the eaves, creating the same squirrel problems. Their removals would provide long term branch clearance.
19. With any application to prune protected trees, a balancing exercise needs to be undertaken. The essential need for the work applied for must be weighed against the potential for significant harm to a protected tree and the resultant loss to the amenity of the area.
20. In weighing up these competing considerations, it is clear that the presence of established trees such as T3, contributes significantly to the local amenity and sense of place. Overall, the proposed work is slight and would result in no obvious adverse effects on its health, appearance or the character of the area.
21. In my view, on balance sufficient justification has been demonstrated for the proposed work.
22. I shall condition that the work is carried out to the appropriate standards, I have amended the suggested conditions in line with the Planning Practice Guidance, to ensure they are fit for purpose. Accordingly, for the reasons set out above and having considered all matters raised, I conclude that the appeal should be allowed.

Alan Engley

ARBORICULTURAL INSPECTOR