

**Town and County Planning Act 1990
Section 78 (As Amended)**

**STATEMENT OF COMMON GROUND ON
ARBORICULTURE MATTERS**

Prepared by:

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for Dandara Southern Ltd & Elstree Land Ltd**

and

Wokingham Borough Council



**WOKINGHAM
BOROUGH COUNCIL**



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Land North of Reading Road, Arborfield

PINS Ref: APP/X0360/W/25/3371069

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1. **MATTERS NOT IN DISPUTE**

1.1 The parties agree that the following matters are not in dispute:

Appeal Site

1.2 The Appeal involves an outline application with only the means of access to the Site submitted in detail. As such the illustrative masterplan is intended to be indicative of how the proposed quantum of development could be accommodated on Site.

1.3 The Decision Notice does not make any reference, in the reasons for refusal, to the potential impacts on trees. Concerns regarding impacts on trees (including veteran trees) were raised in the Council's Landscape Architect's comments.

1.4 There are Veteran Trees present within or in close proximity to the Site boundary. Trees identified in the Tree Survey submitted with the planning application as T4, T39, T50, T56 and T72 are at least of veteran status.

1.5 Oak tree T21 (ATI reference 218466) is a notable tree.

1.6 Oak tree T3 is a Veteran Tree. This tree is outside the red line boundary.

- 1.7 Tree T87 along the eastern boundary of the Site is considered by the Council to be important in terms of landscape and bio-diversity value and links with the wider ecological networks (including off-site Veteran Tree number 164620 on ATI Database); and the Council consider T87 to possibly be a Veteran tree and be treated as such as a precaution. The Appellant agrees that this oak tree T87 merits consideration during the design of the layout.
- 1.8 The Illustrative Masterplan submitted at the planning application stage shows residential gardens and buildings within the Buffer Zone/ Veteran Tree Root Protection Area (“RPA”) of T87. T87 currently has an on-site block-built barn within its RPA.
- 1.9 The Illustrative Masterplan submitted with the original application shows a footpath and accessible public open space located within the RPA of a Veteran Lime tree T39.
- 1.10 The off-site Turkey Oak T85 beyond the north-eastern corner of the Site is not considered to be a Veteran tree. However, it is worthy of consideration during the design of the layout in landscape terms.
- 1.11 The Illustrative Masterplan submitted with the original application shows a residential garden within the RPA of a Turkey Oak tree T85.

- 1.12 Tree T72 is considered by the Council to be an Ancient Tree which the Appellant's arboriculture witness does not dispute.
- 1.13 All Ancient Trees are Veteran Trees and both types of trees are treated the same way under paragraph 193(c) of the NPPF. The Root Protection Areas and Buffer Zones in published guidance are the same for Veteran and Ancient Trees.
- 1.14 The Illustrative Masterplan submitted with the original application shows footpaths, seating and areas of publicly accessible open space within the ancient tree RPA/Buffer Zone of an Ancient Oak tree T72.
- 1.15 The Standing Advice states: Buffer zones for ancient or veteran trees should be at least at least 15 times larger than the diameter of the tree or 5 metres from the edge of the tree's canopy, whichever is greater. This will create a minimum root protection area.
- 1.16 Rooting environment beneath the roads is sub-optimal. Where roads are present within the RPAs of trees, the growth of their roots is not determined by the nominal circular RPA as per British Standard. Roots will tend to favour the open ground away from the road and into the Site and any green highway verge. This is supported by paragraph 4.6.3 of the British Standard 5837:2012.

1.17 According to BS5837:2012, the default position is that no structures should be built within the RPAs of trees to be retained. Where technical solutions are required, it should be demonstrated that the trees can remain viable and adequate mitigation measures should be proposed to improve the soil environment for tree growth. The BS5837 RPA area is smaller than that recommended in the Standing Advice for Veteran Trees

1.18 Ancient or veteran trees can be damaged by direct or indirect effects of development. Direct effects can include:

- damaging or destroying all or part of them (including their soils, ground flora or fungi)
- damaging roots and understorey (all the vegetation under the taller trees)
- damaging or compacting soil
- damaging functional habitat connections, such as open habitats between the trees in wood pasture and parkland
- increasing levels of air and light pollution, noise and vibration
- changing the water table or drainage

1.19 Indirect effects can include:

- breaking up or destroying working connections between (...) ancient trees or veteran trees - affecting protected species, such as bats or wood-decay insects

- reducing the resilience of (...) trees and making them more vulnerable to change
- increasing the amount of dust, light, water, air and soil pollution
- increasing disturbance to wildlife, such as noise from additional people and traffic
- increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing the (...) tree root protection areas
- increasing damaging activities like fly-tipping and the impact of domestic pets
- increasing the risk of damage to people and property by falling branches or trees requiring tree management that could cause habitat deterioration
- changing the landscape character of the area

1.20 The Standing Advice states, where possible, buffer zones for ancient or veteran trees should contribute to wider ecological networks and be part of the green infrastructure of the area. Access within buffer zones is not appropriate where it would result in habitat being harmed by e.g. trampling. On the day of the site visit in January 2026, horses were observed to be using the area of ground within a part of the buffer zone of the oak T72. The site visit was undertaken after some days of heavy rain and the ground appeared to be wet.

- 1.21 The Standing Advice states decision-makers should not approve proposals, including gardens, within a buffer zone of ancient or veteran tree. It also states that decision-maker should only approve sustainable drainage scheme if they do not affect the RPA and do not change the water table so that it negatively affects ancient or veteran trees.
- 1.22 The Illustrative Masterplan shows a footpath around the attenuation basin, which sits towards the edge the compensatory offset of the RPA of the Veteran Oak tree T50. Whilst it is acknowledged that the Appellant has extended the veteran tree buffer zones/RPAs to include compensatory offsetting to allow for the impacts of the road on the root systems, there has not yet been a plan showing any compensatory offsetting to account for the competition between root systems of the group of veteran trees in and adjacent to this corner of the site. Discussions are being undertaken between the Appellant's and the Council's arboricultural experts.
- 1.23 The Drainage Strategy submitted at outline planning application stage appears to propose a new cut off swale within the RPA of Veteran Oak tree T50 and other trees along the Reading Road. It also indicatively shows a network of cut off swales intended to intercept surface water flows from areas of higher ground in the eastern part of the site and beyond.

- 1.24 A joined site visit was undertaken on 23rd January 2026 with both parties' arboriculturists present.

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- 1.25 The Appellant's Highways Proof of Evidence indicates that footpath widening works would be undertaken along Reading Road.
- 1.26 There are 3 mature oak trees T127, T129, T130 growing on a raised bank to the southern side of Reading Road. The proposed footpath widening works in this area show some widening of the pavement into the highway (to achieve between 1.6m to 2m width).
- 1.27 No detailed assessment has been submitted to demonstrate whether the proposed works would not have detrimental impact on trees T127, T129 and T130.
- 1.28 However, the widening of the footpath should not have detrimental impact on T127, T129 and T130 so long as the footpath is widened into the carriageway so as to avoid tree roots.

2. MATTERS IN DISPUTE

2.1 The parties disagree on the following matters:

Appeal Site

2.2 Whether or not it has been demonstrated that the Appeal Scheme would result in loss or deterioration of irreplaceable habitats.

2.3 Whether or not it has been demonstrated that the development in proximity to the Ancient Oak tree T72 can be built without disturbing the RPA and buffer zone of this tree.

2.4 Whether or not it has been demonstrated that the Veteran Oak tree T56 would be impacted by presence of residential garden within the RPA and buffer zone of this tree.

2.5 Whether or not it has been demonstrated that the Appeal Scheme would have unacceptable impacts on RPAs of retained on- and off-site trees.

2.6 Whether or not adequate compensatory off-setting of RPAs and buffer zones has been provided in order to take account of existing roads and the presence of other trees and their root systems.

- 2.7 Whether or not the construction of a footpaths link within the RPA of ancient or veteran trees would have impacts on those trees and the habitats they provide.
- 2.8 Whether or not presence of public open space within the RPA and buffer zone of ancient or veteran trees would have any impact on those trees and the habitats they provide.
- 2.9 Whether or not the use of areas as public open space would result in risk management pressures that could have detrimental impact on ancient or veteran trees and the habitats they provide.
- 2.10 Whether or not precautionary approach should be taken in respect of the Notable Oak tree T87 (ATI reference 45540).
- 2.11 Whether or not the Tree Survey submitted at the application stage adequately shows all trees within and in close proximity to the Site boundary.
- 2.12 Whether or not the group of young oak trees G73 and oak tree T74 should be retained as part of the ecological networks and green infrastructure associated with ancient or veteran trees.

- 2.13 Whether or not it has been demonstrated that the proposed Drainage Strategy submitted at the planning application stage would result in deterioration of ancient or veteran trees and the habitat they provide.

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- 2.14 Whether or not it has been demonstrated that the proposed highway works to Reading Road would not have unacceptable impact on trees beyond the highway verge.

3. FURTHER INFORMATION

- 3.1 The Appellant is working on providing additional information to address these matters. A new revised indicative masterplan was informally produced to aid discussions in connection with this Statement of Common Ground but is yet to be put before the Inspector. Therefore, its status is unclear and does not yet appear to form part of the appeal.
- 3.2 The appellant intends to submit the updated indicative masterplan to show that the proposal is capable of being delivered without giving rise to the above impacts. That updated plan has been shared with WBC on the 27th January 2026 and prior to the preparation of this SOCG. WBC have decided not to comment in this SOCG on the revised plan pending its formal submission to the Inspector.
- 3.3 Once submitted and subject to acceptance by the Inspector, this SOCG will be updated to confirm the matters which are agreed between the parties.

4. **AGREEMENT: SCHEDULE OF COMMON GROUND**

4.1 This document is accepted as the agreed Statement of Common Ground for the Appeal being considered under PINS Ref:
APP/X0360/W/25/3371069

4.2 It has been duly signed by representatives of the Appellant and Wokingham Borough Council.

Signed on behalf of the Appellant

Name:	Peter Wilkins on behalf of Dandara Southern Ltd & Elstree Land Ltd
Signature:	
Date:	30.01.2026
Position:	Arboricultural Consultant Ruskins Tree Consultancy

Signed on behalf of Wokingham Borough Council

Name:	Chris Hannington on behalf of Wokingham Borough Council
Signature:	
Date:	30 th January 2026
Position:	Planning Trees and Landscape Manger
