

Tel: (0118) 974 6000
Email: development.control@wokingham.gov.uk
Date: 24 October 2024
My ref: CY/TPO/706/1994/242207



WOKINGHAM BOROUGH COUNCIL

Adrian Seel
7 Bradley Drive
Wokingham
RG40 3HZ

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

Dear Adrian Seel,

TREE PRESERVATION ORDER NUMBER: 706/1994
APPLICATION NUMBER: 242207
LOCATION: 7 BRADLEY DRIVE, WOKINGHAM, RG40 3HZ

I am writing to you regarding your application to carry out works to protected tree(s), which was received and validated on the 29 August 2024.

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

Proposed Tree Works to A1 of TPO 706/1994:

T1, Oak

- Crown reduction by approx. 3-4m

Reasons stated for works:

The tree in question lies on the property boundary between numbers 7 and 8 of Bradley Drive (RG40 3HZ) as shown in the attached sketch map. The TPO in question is numbered 706/1994. The tree is an Oak (T3). The request is for routine maintenance to keep the tree at a suitable size, my understanding is that a similar application has been submitted prior to our moving into the property at the end of 2021, also similar for other trees subject to TPOs in Bradley Drive. Exactly how much is trimmed is a matter for expert judgement, a reduction of the canopy radius from 10m to 6-7m with a proportionate reduction in height seems a reasonable estimate. We want to strike a balance between maintaining the tree's character and aesthetic impact on its surroundings while avoiding it dominating its surroundings and posing a hazard in the event of a severe storm, noting its proximity to numbers 7 and 8 including overhanging the roof of number 7.

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 work is in the interests of health and safety.

The subject tree had a full crown at the time of inspection, showing good vigour and vitality. It is located at the end of Bradley Drive and provide significant amenity the area.

Whilst the Council appreciates that a certain amount of pruning appears justified to provide adequate clearance to adjacent structures, the submitted work specification for the subject tree would remove more than what is necessary to provide adequate clearance.

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. The following lesser works are approved to create reasonable clearance from the properties.

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 Tree Preservation Order (TPO):

Approved Tree Works to A1 of TPO 706/1994:

T1, Oak

- Tip-reduce branches to provide a maximum clearance of 2 metres from the sides and roof of 7 and 8 Bradley Drive, Wokingham, ensuring all branches are taken back to suitable growth points, and a natural form as possible is maintained.
- Crown clean removing any dead, diseased, or dysfunctional branches back to suitable reduction points

The consent is granted subject to the following conditions:

1. The above works must be completed before **24 October 2026** 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'.
3. The approved pruning (where applicable) shall ideally be undertaken in mid-late Summer (July – September) when the tree's energy reserves are at their height (but with due regard for nesting birds). **No tree pruning work is advisable during the period immediately before or after leaf break (March to June) when the trees' energy**

reserves are most depleted. Work during the autumn and early winter is also acceptable.

4. Climbing spikes shall not be used whilst undertaking any form of works on living trees (to be retained).

Reasons for conditions 1-4.....

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. Taking into account the tree's phenological cycle and in order to avoid any unnecessary detriment to the tree as a result of the pruning work.
4. Climbing spikes can cause damage to trees.

Informative:

If you are aggrieved by the refusal of works or 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,



Chris Hannington
Trees and Landscape Team Manager

cc. Owner/occupier. 8 Bradley Drive, Wokingham, RG40 3HZ

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