

Tel: (0118) 974 6000
Email: development.control@wokingham.gov.uk
Date: 10 April 2025
My ref: TF/TPO/59/1973/250339



WOKINGHAM BOROUGH COUNCIL

Mr Thorpe-Jones
16 Ellis Road
Crowthorne
Wokingham
Berkshire
RG45 6PU

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

Dear Mr Thorpe-Jones,

TREE PRESERVATION ORDER NUMBER: 59/1973

APPLICATION NUMBER: 250339

LOCATION: LAND TO REAR OF 16 ELLIS ROAD, CROWTHORNE, WOKINGHAM, RG45 6PU

I am writing to you regarding your application to carry out works to protected tree(s), which was received on the 12 February 2025 and validated on the 13 February 2025.

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 A4 of TPO 59/1973:

T1, Oak: Fell.

Reasons stated for works:

The tree is obstructing a public highway - Tree measured 2.9 meters from ground level - Fell to ground level.

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 and other diagnostic information from an appropriate expert.' To date, no detailed information has been submitted to demonstrate that the work is in the interests of health and safety.

The section of road that the subject tree is situated on is unmetalled and classified as a track which is located to the rear boundaries of the adjoining properties at this point and is unlikely to be used by high sided vehicles such as delivery vans and refuse vehicles which would use the front entrance to the properties. The width of the track at the point where the subject tree is located is wide enough for pedestrians, cyclist and cars to pass without coming into contact with

the main stem of the tree which is clear of branches and foliage to over 4m above ground level. Therefore, the tree is not considered to be obstructing the reasonable use of the public right of way at this time.

Wokingham Borough Council declared a climate emergency in July 2019 which commits us to playing as full a role as possible in reducing our carbon footprint to be net carbon zero by 2030. The Borough Council aims to increase the levels of carbon sequestration through greening the environment. Consequently, the preservation and enhancement of tree canopy cover in the Borough will play an important role in this.

On balance the information submitted with the application is not sufficient justification for the complete removal of a prominent, mature tree, however the Council would welcome a further Tree Work Application supported by suitable levels of evidence from an appropriate expert to justify the proposed removal works.

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

Any future applications submitted with additional evidence and justification for the works, will be duly considered.

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). You can only submit a planning appeal online.

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 dead wood may be removed from a living tree without the need to formally notify/seek consent from the Local Authority under an exemption of the Town and Country Planning - Tree Preservation (England) Regulations 2012 (6 April 2012).

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

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

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