

Tel: (0118) 974 6000
Email: development.control@wokingham.gov.uk
Date: 11 April 2025
My ref: TF/TPO/839/1996/250210



WOKINGHAM BOROUGH COUNCIL

Mr Tom Addis
Parish Environmental Services Ltd
157 Waterloo Rd
Wokingham
RG40 2JN

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

Dear Mr Addis,

TREE PRESERVATION ORDER NUMBER: 839/1996
APPLICATION NUMBER: 250210
LOCATION: 2 FOLLY ORCHARD, WOKINGHAM, RG41 2TU

I am writing to you regarding your application to carry out works to protected tree(s), which was received on the 29 January 2025 and validated on the 04 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 Single 5 of TPO 839/1996:

T5, Oak:

- Crown reduction by 3-4m.

Reasons stated for works:

Crown needs to be reduced on this mature oak in the front of the property by 3-4m to ensure the safety of the tree and it's surrounding.

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 (particularly if it states there are fears that the tree might break or fall) in the form of 'written arboricultural advice and other diagnostic information from an appropriate expert.' To date, no detailed arboricultural information has been submitted to demonstrate that the work is in the interests of health and safety or based on any arboricultural need and no overriding reason for the proposed crown reduction work was apparent.

Whilst the Council appreciates that a certain amount of pruning is justified to provide adequate clearance beneath the crown and to adjacent built structures, the submitted work specification of crown reduce by 3-4m appears excessive given that the tree appears to be in a relatively sound and healthy condition with no outward signs of any significant defects or decay.

Crown reduction is an operation normally carried out on trees if, owing to decay or structural weakness, there is a need to prevent failure of the tree in whole or part. A balanced energy level and photosynthetic capability are vital to a trees health and wellbeing, especially when trees are mature. The proposed work would compromise the trees ability to sustain itself in the future, cause excessive loss of live material, create multiple pruning wounds allowing the ingress of decay and dysfunction and lessen its stature in the local landscape reducing its amenity value.

On balance the reasons and information submitted with the application are not sufficient justification for the proposed crown reduction. However, if there are concerns over the trees structural integrity the Council would welcome a further Tree Work Application supported by appropriate levels of arboricultural evidence to justify the proposed reduction works.

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

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

Approved Tree Work to Single 5 of TPO 839/1996:

T5, Oak:

- Tip reduce low lateral branches only by no more than 2m to a height of no more than 6m from ground level ensuring a 2m clearance to adjacent building lines and a 2.5m height clearance above adjacent roof tops.
- Crown clean to remove all dead and significantly decayed branches.

The consent is granted subject to the following conditions:

1. The above works must be completed before **11 April 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'. Ensuring all branches are taken back to a suitable growth point. The crown lift must involve the tip reduction of minor tertiary and secondary branch ends only to create some vertical lift of the tree canopy and must avoid the removal of main structural branches and branches in excess of 70mm in diameter back to the main stem
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. Ensuring all pruning cuts are made back to suitable growth points.
3. Spikes can cause extensive long-term 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). 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 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.

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

Yours sincerely,



Chris Hannington
Trees and Landscape Team Manager

cc. Applicant - Ms Jan Healey, 2 Folly Orchard, Wokingham, RG41 2TU

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