

Tel: (0118) 974 6000
Email: development.control@wokingham.gov.uk
Date: 13 March 2025
My ref: CY/TPO/1428/2012/250121



WOKINGHAM BOROUGH COUNCIL

Mr Josh Pritchard
Ground Lord Ltd
The Carpenters Workshop
Litchfield
Whitchurch
Berks
RG28 7PP

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

Dear Mr Pritchard,

TREE PRESERVATION ORDER NUMBER: 1428/2012

APPLICATION NUMBER: 250121

SITE ADDRESS: LAND AT FLEMING CLOSE, ARBORFIELD, WOKINGHAM, BERKS, RG2 9NS

I am writing to you regarding your application to carry out works to protected tree(s), which was received on 21st January 2025 and validated on 23rd January 2025 and following the Council's Arboricultural Officer's site visit on 11th February 2025 and 7th March 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 Group 3 of TPO 1428/2012:

31, Ash (part of G3) – Cut back by 2m from property.

85a, Maple (part of G3) - 85a, Maple (part of G3) (as applicable).

85b, Maple (part of G3) - Crown lift by 2.5m over footpaths and 5.2m over highway (as applicable).

Reasons stated for works:

Crown lift to statutory heights and cut back by 2m from property and deadwood.

Officer comments:

Works to trees can usually be justified if parts of a tree are actually or can (for example through wind movement in the canopy) come into contact with people and/or structures. These works would be undertaken to prevent damage to the tree and to the person and/or structure.

Regarding the condition of the trees, the application form requires that if the condition of a tree is suspect then proof of this is required. The 'no' box has been ticked on the application form to indicate that the proposed works are not due to the 'Condition of the trees – e.g., it is diseased, or you have fears that it might break or fall'.

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.

31, Ash (Group 3 of TPO 1428/2012) is not located close to any building, and the proposed works is therefore deemed unnecessary. 85a and 85b, Maple (Group 3 of TPO 1428/2012) do not have branches that overhang footpath or highways that requires clearance. The proposed works are not necessary and refused.

For future applications, please ensure that only the necessary trees works are included in the application and avoid listing works under "as applicable" conditions. It is the applicant/agent's responsibility to verify that the conditions justifying the proposed tree works are present.

Due to the reasons stated above these works have been refused.

Any future applications submitted providing clear evidence and justification for additional tree works, if required, will be duly considered.

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 Work to Single 16 of TPO 1428/2012:

17, Silver Birch (T16 in TPO) – Clear fallen branch (exempt).

Proposed tree works to Group 3 of TPO 1428/2012:

31, Ash (part of G3) – remove deadwood (exempt).

85b, Maple (part of G3) – Crown lift to create 3m vertical clearance over carpark only.

Proposed tree works to Group 4 of TPO 1428/2012:

83, Maple (part of G4)

- Cut back to create 2m clearance from property by tip reduction only
- remove deadwood (exempt)

The consent is granted subject to the following conditions:

1. The above works must be completed before **17 March 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'.
3. Climbing spikes shall not be used whilst undertaking any form of works on living trees, except on trees to be felled. Ensuring all reduction points are taken back to suitable growth points.

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.
3. Spikes can cause extensive long-term damage to trees.

Informative:

If you are aggrieved by any of the conditions attached to your consent, you may appeal to The Planning Inspectorate (PINS). Because of coronavirus (COVID-19), you can currently 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 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