

Tel: (0118) 974 6000
Email: development.control@wokingham.gov.uk
Date: 21 May 2025
My ref: CY/TPO/197/1980/250712



WOKINGHAM BOROUGH COUNCIL

Mr Jonathan Smith
Big Heart Tree Care
1 Thorney House
Drake Way
Reading
RG2 0GZ

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

Dear Mr Smith,

TREE PRESERVATION ORDER NUMBER: 197/1980

APPLICATION NUMBER: 250712

LOCATION: LAND ADJACENT TO 21 KERRIS WAY, EARLEY, WOKINGHAM, RG6 5UW

I am writing to you regarding your application to carry out works to protected tree(s), which was received on the 23 March 2025 and validated on the 26 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 Single 20 of TPO 197/1980:

T20, Ash

- Cut 2 no. lowest overhanging branches back to source (as indicated on photo).

Reasons stated for works:

T20, Ash

- "allow more light"

Reasons stated for refusal:

Removal/revocation of Tree Preservation Orders is under a set of different procedures. We will discuss your suggestion at our next TPO Review and Prioritisation Meeting and inform you of the outcome of the review in due course.

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 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 removal of two branches was apparent.

Wokingham Borough Council does not usually permit pruning works to alleviate shading as this is an inevitable consequence of trees in residential areas. Allowing trees to be pruned for this reason would set an unacceptable precedent when it comes to looking at similar applications in the future.

T20, Ash appears in good health with crown density typical of the species. Whilst the Council appreciates that a certain amount of pruning appears justified to provide adequate clearance to the properties and built structures, the tree crown is not close to the property at 21 Kerris Way, Earley.

Removal of two branches would create large pruning wounds in the tree trunk, which would act as entry points for decay causing pathogens. In view of this, Wokingham Borough Council has concluded that the proposed works as outlined (above) in your application would be excessive and harmful to both the health and wider visual amenity of the tree.

On balance the reasons and information submitted with the application are not sufficient justification for the proposed removal of two branches. 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 20 of TPO 197/1980:

T20, Ash

- Reduce branches from historic wound (marked on Figure 1 below) by 2m
- Crown clean to remove all dead, diseased and dysfunctional branches.

The consent is granted subject to the following conditions:

1. The above works must be completed before **21 May 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.
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

Figure 1



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