

Tel: (0118) 974 6000
Email: development.control@wokingham.gov.uk
Date: 23 May 2025
My ref: TF/TPO/1446/2012/250760



WOKINGHAM BOROUGH COUNCIL

Mr Stephen Butler
G A Butler & Sons Ltd
Rosebank
Andover Road
Highclere
Newbury
RG20 0NG

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

Dear Mr Butler,

TREE PRESERVATION ORDER NUMBER: 1446/2012

APPLICATION NUMBER: 250760

LOCATION: 53 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM, RG40 4HE

I am writing to you regarding your application to carry out works to protected tree(s), which was received 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 G1 of TPO 1446/2012:

T1 Oak (G1 on TPO):

- A 15% crown reduction and deadwood removal.

T2 Pine (G1 on TPO):

- To dismantle and remove the pine completely.

Reasons stated for works:

On the basis that the tree is showing signs of drought damage, although there has been no drought, it would suggest that the Thames Water excavations have damaged the root system to the pine and possibly to the oak. Other works on the roadside could also have further damaged surface roots on both trees. Both trees are situated close to major services, roads, footpaths and properties and will continue to be a hazard as they age. It would be recommended to dismantle and remove the pine completely on the grounds of public safety. The oak would then receive a 15% crown reduction and deadwood removal to assist in its stability once the pine is removed, as these trees have formed a structural co-existence.

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.

The Agents letter suggests that Thames Water excavations have damaged the root system to the pine and possibly to the oak and other works on the roadside could also have further damaged surface roots on both trees. However, no evidence of the number and size of roots severed or damaged was detailed and no photographic evidence was submitted to demonstrate this. Furthermore, no pulling test has been carried out which is the most accepted method for evaluating the safety and stability of tree root systems.

The specific cause for browning of needles has not been determined yet and there are Several different factors that cause this on mature pine trees, including environmental stressors like drought, winter desiccation, and poor soil conditions, as well as fungal diseases like needle blight. Additionally, salt from de-icing and nutrient deficiencies can contribute to needle browning.

The subject trees are mature specimens which are clearly visible from the public highway contributing significantly to the character and amenities of the local and wider landscape subsequently the trees command high landscape amenity both as individuals and as a group and the proposed work would have a negative impact on the local area.

On balance the information submitted for the proposed works is not sufficient justification for the complete removal and detrimental pruning of prominent landscape trees, however the Council would welcome a further Tree Work Application supported by appropriate levels of arboricultural evidence i.e. evidence of the number and size of tree roots severed/damaged and results of any secondary investigations (i.e. tree pulling test) to justify the proposed 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 require

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,

A handwritten signature in black ink that reads "Chris Hannington". The signature is written in a cursive, slightly slanted style.

Chris Hannington
Trees and Landscape Team Manager

cc. Mr Phil Phillips, 53 Nash Grove Lane, Finchampstead, Wokingham, RG40 4HE

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