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Date: 12 February 2025
My ref: CY/TPO/197/1980/243058



WOKINGHAM BOROUGH COUNCIL

IG Environmental Services
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Whiteley
Hampshire
PO15 7AE

Place and Growth
Development Management Team
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR

Tel: (0118) 974 6000

Dear IG Environmental Services

TREE PRESERVATION ORDER NUMBER: 197/1980

APPLICATION NUMBER: 243058

SITE ADDRESS: 3-4 SHARPTHORPE CLOSE, EARLEY, WOKINGHAM, BERKS, RG6 4DB

I am writing to you regarding your application to carry out works to a tree located on land at 3-4 Sharpthorpe Close, Earley, which was received and validated on 4 December 2024.

Wokingham Borough Council **refuses consent** to the following work being carried out to tree(s) included in the aforementioned Tree Preservation Order (TPO):

You have applied to undertake the following works within Area 2 of TPO 197/1980:

T4, Norway Maple

- Remove close to ground level; do not treat stump due to translocation risk. Where such a risk exists, we advise that any emergent regrowth is removed annually.

Reasons stated for works:

This application is supported by the following documentation:

Report name	Report date	Reference no.
5 Sharpthorpe Close SI Pack	10 August 2023	C73989G33066
Arboricultural Report 5 Sharpthorpe Close	4 October 2024	SA255076
5 Sharpthorpe Close Level Monitoring Report	29 November 2024	M21705
Subsidence Letter	15 November 2022	IFS-AVI-SUB-22-0105212
Engineering Final Report	28 November 2024	IFS-AVI-SUB-22-0105212

Reasons for refusal:

When setting out the reasons for the proposed works to trees an applicant is required to provide sufficient evidence to support the application. Applications that would endanger the health or condition of a tree or greatly reduce its amenity value to the local environment, and thereby undermine local landscape character, are unlikely to be approved unless there are strong reasons to do so. The reasons stated for the removal of T4 (Oak) currently fail to demonstrate that the works are proportionate and justified in the interests of health and safety or preventing structural damage.

The Planning Portal application guidance notes for applications to prune/remove trees due to subsidence issues (ref: Sc31 V1.1 England) advise that reports by a structural engineer with technical analysis from other experts (e.g. trees and soil) should provide the following information:

1. A description of the property including a description of the damage and crack patterns, details of any previous underpinning or building works and the geological strata for the site identified from the geological map.
2. Measurement of the extent and distribution of vertical movement using level monitoring. Where level monitoring is not possible, state why and provide crack-monitoring data. Data provided must be sufficient to show a pattern of movement confident with the presence of the implicated tree(s).

The applicant has not provided conclusive data in relation to requirements 1 to 2. The Council makes the following observations below:

The application states the damage was first noticed in August 2022. There are no details of any previous underpinning or building works and no geological strata information has been included.

Level Monitoring Report in SI Pack

Datum reading not provided

It is stated in the "Site Visit Notes" that "TBM is a manhole outside of No 5. No secondary TBM available."

Level monitoring points are referenced to a static datum point located at an unaffected area. The applicant did not provide location of the datum point nor level monitoring data from the datum point to demonstrate that it is static. The council is therefore unable to assess the accuracy of the presented level monitoring data. Whilst the Council cannot be sure that this is the case, the following assessment is based on the assumption that the data is correctly calibrated.

Seasonal and cyclical pattern of foundation movement

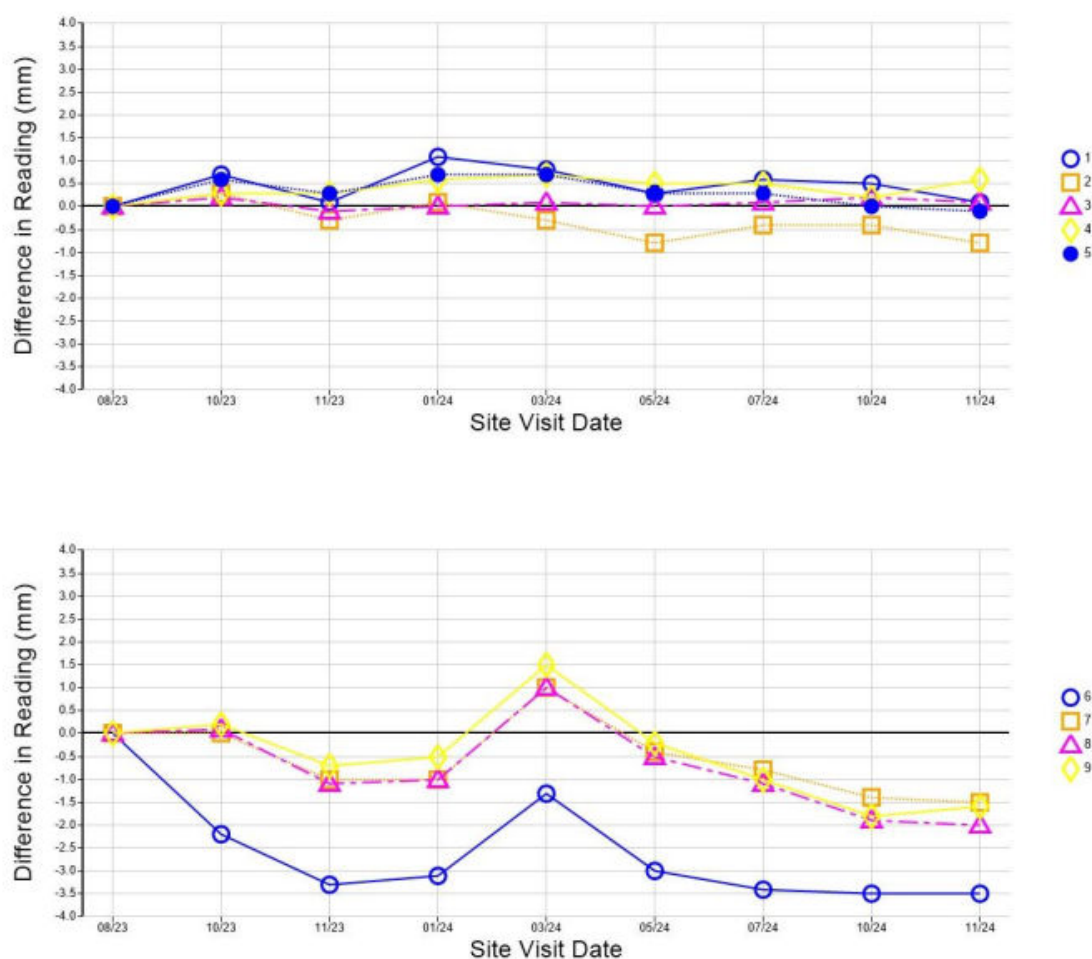
The Arboricultural Report (“Arboricultural Consultancy for Aviva”) stated that, ‘the conditions necessary for clay shrinkage subsidence to manifest have been established by site investigations and level monitoring has confirmed a pattern of movement consistent with the known influence of vegetation.’

The above statement is only partially correct. The Level Monitoring Difference Graphs from the Level Monitoring Report (Figure 1) shows that building levels at stations 6-9 follows a pattern of rising in the winter months and falling in the summer months; but stations 1 to 5 show completely different patterns of movement. In fact, the amplitude of movement is so small (about 1mm) and variable that it is impossible to observe any movement pattern.

The overall amplitude of movement is also very small with the greatest movement at station 6 with a maximum of about 3.5mm.

The level monitoring data is plotted at even interval on the x-axis, but the sampling dates are not taken at equal intervals, presentation of the data does not accurately represent the trend, making it difficult to interpret the seasonal movement, if any.

Figure 1



Cracking at property

The Engineering Final Report stated the following:

- *Internal and external cracking, the crack widths: 1mm to 5mm.*
- *Cracking is evident to the rear elevation of the main building. At the time this damage was noted to be less than 5mm in width but has worsened since, on a seasonal and progressive basis*

The Subsidence Letter dated 15 November 2022 reported internal cracks of less than 1mm and external cracking ranging from less than 1mm to less than 5mm, and stated the following:

- *The pattern and nature of cracking is not consistent with foundation movement. The minor damage evident is more likely to have resulted from differential thermal and moisture induced movement.*

No crack monitoring nor photos of cracks was provided and the Council is unable to confirm whether the cracking pattern has become consistent with subsidence damage. The Council is also unable to assess the purported damage to the property.

Foundations

The Arboriculture Report and the Geotechnical Report in the SI Pack show the location of the TP/BH1 and TP/BH2 and this is what has been referenced in this decision letter in terms of their location.

Both TP/BHs are located within the area of suspected influence. A control borehole needs to be located on the site and remote from the influence of any vegetation, to enable the results to be compared.

The foundation thickness in TP/BH1 is 0.63m and TP/BH2 is 0.95m. The foundation depths vary and due to the proximity of TP/BH1 to TP/BH2 and the associated differing foundation sizes, it is hard to determine if there is potential movement caused by structural issues associated within the building and/or differing pressures on the foundations.

In addition, the depth of the foundations depths fall significantly short of the recommendations from the National House Building Council (NHBC). Especially when the property is built adjacent to a cycle track lined with trees planted at about the same time when the property was built.

The reports fail to demonstrate that other structural issues with the property, in particular the shallow foundations of different depths, have been investigated as a contributing factor to level movement. The installation of root barrier suggested in the Engineering Final Report has not been discussed as a way of retaining T4 (Norway maple).

Soil Analysis

In the Soil Analysis section of the SI Pack, Av. Suc. Data for BH1 and BH2 are empty, and suction data is not shown on the top graphs on page 3 and 4 of the report. The bottom x-axis of the graphs shows the values of a series of zeros and ones. The graphs are incomplete and incomprehensible, and the Council cannot, therefore, draw conclusions from the data as presented.

Planning context

The Wokingham Borough Landscape Character Assessment (2019) illustrates that the property lies within the Woodley-Earley Settled and Farmed Clay LCA. The area is characterized by:

- Subtly wooded ridgeline created by wooded spaces on the urban fringe and within the urban area.
- The small area of remaining open land is greatly influenced by the proximity of urban development and consists of a network of recreational spaces

The proposal to fell the tree does not contribute to and enhance the natural and local environment by protecting and enhancing the wooded spaces in the built environment.

In addition, the proposal fails to meet criteria for approval under Local Plan Policy TB21(2) and (2) and Core Strategy policies CP1(1).

Finally, the proposal to fell tree T4, and the failure to provide sufficient evidence linking minor subsidence to the tree with the failure to examine alternatives to felling, fail to meet criteria for approval under paragraphs 135, 136 and 187 of the National Planning Policy Framework.

Summary

T4 (Norway maple) makes a significant contribution to the amenity of the area and the local landscape character. At this stage insufficient information has been provided to confirm:

- the severity of subsidence damage to the property
- the level changes are caused by drying from water uptake of tree roots
- that tree removal is an appropriate mitigation measure for damage at 5 Sharphorpe Close, Earley
- alternatives to tree removal
- compliance with local and national planning policy

Allowing trees to be removed for these reasons would set an unacceptable precedent for dealing with similar applications in the future and would threaten the retention of many urban trees growing in relationship with the built form throughout the Borough.

The applicant failed to demonstrate options to retain the tree. The installation of root barrier suggested in the Engineering Final Report at a cost of £23,100 was not discussed.

The proposals would not meet criteria for approval under NPPF 135(c), 136, and 187(b); Core Strategy policies CP1(1); CP3(c) and (f); and MDD Local Plan policies CC03(2)(d) and (e) and TB21(2).

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. As part of our response to climate change, the Council aims to increase the levels of carbon sequestration through greening the environment. The preservation and enhancement of tree canopy cover in the Borough will play an important role in this.

Removing T4 (Norway maple) may not resolve the building subsidence issue because the roots of surrounding trees, which have been identified as having a “significant contributory influence”, will continue to extract moisture from the soil, leading to ongoing shrinkage and movement. Tree roots seek out moisture, and once the Norway maple is removed, nearby trees and vegetation could extend their root systems further into the affected area, perpetuating the soil desiccation and instability.

Additionally, soil conditions may not recover quickly after tree removal, as moisture levels can take years to stabilize, and the damage caused by previous drying may have already compromised the inadequate foundations. Without proper intervention, subsidence could persist or even worsen due to continued soil movement and the Council will likely receive further requests to remove additional mature trees in and around the subject site.

The most effective long-term solution would be underpinning the foundations, which would stabilise the structure independently of tree and/or seasonal related soil changes. This approach ensures the building is supported on a more stable subsoil layer, mitigating further movement caused by fluctuating moisture levels. On the other hand, given the low amplitude of level changes and if the level changes are indeed proven to be caused by the drying effect of tree roots, installation of root barriers recommended in the Engineering Final Report has also been identified as an effective solution.

The information provided in this application to remove T4 (Norway maple) fails to highlight any reasons to conclude that the works are proportionate and justified in the interests of health and safety or structural damage, at this time. Further, the information provided fails to demonstrate that the proposals remedy any damage. For the reasons stated above, the application to fell T4 has therefore been refused.

Any future applications submitted will be considered on their merits. The Council would seek to remind the applicant to provide clear, unambiguous, and complete evidence in support of any tree works and/or removal.

Informative:

If you are aggrieved by this decision (refusal) you may appeal to The Planning Inspectorate (PINS). Because of coronavirus (COVID-19), you currently can only make a planning appeal online. You cannot currently apply by post.

For more information go to:

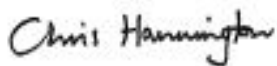
<https://www.gov.uk/government/publications/tree-preservation-order-appeal-form>

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.

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

Yours sincerely,



Chris Hannington
Trees and Landscape Team Manager

cc. Owner/Occupier, 5 Sharpthorpe Close, Lower Earley, Reading, RG6 4DB