

Tel: (0118) 974 6000
Email: development.control@wokingham.gov.uk
Date: 10 April 2025
My ref: TF/TPO/789/1996/250254



WOKINGHAM BOROUGH COUNCIL

Mrs Alison Hartigan
9 Greenside
Crowthorne
RG45 6EX

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

Dear Mrs Hartigan,

TREE PRESERVATION ORDER NUMBER: 789/1996
APPLICATION NUMBER: 250254
LOCATION: 9 GREENSIDE, CROWTHORNE, WOKINGHAM, RG45 6EX

I am writing to you regarding your application to carry out works to protected tree(s), which was received on the 03 February 2025 and validated on the 06 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 A1 of TPO 789/1996:

T8, Scots Pine - Fell.

Reasons stated for works:

Over the years, we have contacted you several times about how dangerous the tree is. On your advice, an arborist recommended by you, came to lop the tree and make it safe. This was in the summer of 2024.

On the morning of 8 December there was a loud crack and huge amount of noise and yet another large bough fell from the tree on to our patio where we sit. If we had been out there (and I often am because I smoke) it would have either killed me or caused very significant injury. We use this patio frequently and have four grandchildren under 6 years old, who are constantly playing there when they visit. There is definitely a risk to life. See photos.

Whilst I understand that the tree is deemed healthy, we cannot continue to be in fear of large branches and boughs falling on to our living area and the risk of injury to us and the family. Your information says that you will consider an application for felling where the tree is 'dead, dying or dangerous'. Ours is most certainly dangerous.

I believe we have done everything we can to try and make the tree safe and have followed your advice to the letter. Despite the work we have had done, with the weather in this country becoming more and more extreme, the likelihood of more boughs falling is therefore increased.

The tree leans quite considerably and if it were to fall, it would land directly on to our bedroom. Please consider this application with our safety and peace of mind as a priority.

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

Unfortunately, the photographs submitted do not demonstrate the extent of any structural defects to the main stem or scaffold branches and therefore an informed decision cannot be made as to whether the subject tree needs to be removed.

The Scots Pine is a large, mature tree which is in keeping with the wooded character of the local area and is visible from the surrounding public highway where it contributes to the verdant qualities of the locale and is in keeping with the wider arboreal characteristics which are desirable to maintain and enhance.

On balance the information submitted with the application is not sufficient justification for the complete removal of a prominent landscape tree, however the Council would welcome a further Tree Work Application supported by appropriate levels of arboricultural evidence i.e. full Visual Tree Assessment (VTA), aerial inspection (with photographs of all bio mechanical defects) and results of any internal decay detection investigations of the lower main stem (Sonic Tomograph) and scaffold branches (Resistograph) to justify the proposed removal 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

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