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Date: 31 March 2025
My ref: CY/TPO/1540/2016/250092



WOKINGHAM BOROUGH COUNCIL

Mr Glen Harding
GHA Trees
5 South Drive
High Wycombe
HP13 6JU

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

Tel: (0118) 974 6000

Dear Mr Harding

TREE PRESERVATION ORDER NUMBER: 1540/2016

APPLICATION NUMBER: 240092

SITE ADDRESS: 16 POUND LANE, SONNING, WOKINGHAM, BERKS, RG4 6XE

I am writing to you regarding your application to carry out works to a tree located on land at 16 Pound Lane, Sonning, which was received and validated on 17th January 2025, and the Council's arboricultural officer's visit on 27th March 2025.

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 to T1 of TPO 1540/2016:

T1, Red oak

- Fell and remove stump.

Reasons stated for works:

Clay shrinkage subsidence causing damage to retaining wall in garden.

This application is supported by the following documentation:

Report name	Report date	Reference no.
Engineer's Report	9 November 2024	n/a
Arboriculturallist's Report	2 December 2024	n/a

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 undermining local landscape character, are unlikely to be approved unless there are strong reasons to do so. The reasons stated for the removal of T1, red 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:

- A description of the property, including a description of the damage and crack pattern, the date that the damage first occurred/was noted, details of any previous underpinning or building work, the geological strata for the site identified from the geological map
- Details of vegetation in the vicinity and its management since discovery of the damage, include a plan showing the vegetation and affected building
- 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 consistent with the presence of the implicated tree
- A profile of a trial/bore hole dug to identify foundation type and depth and soil characteristics
- The sub-soil characteristics including soil type (particularly that on which the foundations rest), liquid limit, plastic limit and plasticity index
- The location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out
- Proposals and estimated costs of options to repair the damage

In addition, the Wokingham Borough Council also requests the following:

- Details of the investigation of the potential and the cost of alternatives to tree works or felling (for example: the use of root barriers)
- Proposals for replacement planting of species with low water demand (in the last resort).
- arboricultural proposals for the avoidance, remediation and mitigation of indirect tree-related damage'

The applicant has not provided any of the above technical monitoring and analysis reports. The Council finds that the applicant has not provided sufficient evidence to demonstrate that cracking on the wall is caused by subsidence caused by roots of T1, red oak. **For the reasons stated above, the application to fell T1 is refused.**

Though only a brief engineer's note and an arboriculturalist's report are included in the application, we have the following observations that you may wish to take into consideration in preparation of any future tree works applications:

- 1) The specification of the wall does not meet standards in NHBC Chapter 4.2 Building Near Trees. This would have required far deeper foundations and is possibly a contributing factor to the failure of the wall.
- 2) The specification of the wall does not meet the rule of thumb for retaining walls relying on their mass for soil retention (the standard being that a 'gravity retaining wall' such as this should be as thick as a third of the height of the wall for a third of the height of the

wall, gradually reducing in thickness with increasing height). From the evidence provided, the height of the soil retained is +/- 1400mm (by counting what the Council assume are standard bricks on the photographs as the height of the wall is not given in the engineers note). If blocks 'laid on their side for extra strength' are standard blocks, then the wall is only 200mm thick at the bottom when it should be 466mm. There appears to be no reinforcing of the wall and no anchoring of the wall to prevent the kind of rotation/bulging shown in the photographs and mentioned in the arboriculturalists report.

- 3) The arboricultural report shows photos of the 'polythene membrane filled with reject stone'. From the description and the photographs this appears to be a damp proofing membrane (DPM). Such membranes are waterproof and installing a double layer of this filled with 'reject stone' would form a dam preventing the egress of water and thereby exacerbating hydrostatic pressure on the wall rather than remediating it. If this theory is correct then pressure on the wall, pushing it out towards the house would result. It was observed during the site visit on 27 March 2025 that there are drains in the bottom of the wall. These drains should be inspected for blockages. But in any case it is recommended that through-wall drainage should be installed throughout the height of the wall.
- 4) The arboricultural report describes the 'bellying' of the wall which implies pressure rather than subsidence. This is consistent with the apparent lack of drainage behind and through the wall.
- 5) As it is considered that the design and construction of the wall are the root causes of the distortion and cracking, tree removal will not solve the reported problems.
- 6) The engineer's note states that there is no apparent damage to the foundation of the wall. This is at odds with arbogenic subsidence where the substrate would move downwards in summer as the tree draws water out of the clay. The cracks would then tend to close up again in the winter months as transpiration reduces when leaves fall in autumn.
- 7) To demonstrate that the tree is causing subsidence one would need to demonstrate seasonality of movement. No crack monitoring or levels monitoring has been done so it is not possible to demonstrate seasonality of movement.
- 8) In the evidence provided there are two major cracks on the wall, one vertical and one diagonal. The direction of the diagonal crack is perpendicular to the direction of the tree, this is at odds with subsidence damage where the cracking points to the tree (the upper part of a diagonal crack normally pointing in the direction of the tree).
- 9) whilst the original levels plan (provided with the application (PA C/2012/2309) does show other trees and shrubs it fails to show the red oak. This is a serious error and may have contributed to the failures of design and construction noted here. It should be noted that the red oak was shown on the Sylva Trees tree survey.
- 10) Reference is made to other information including the June 2020 arboriculture report by Sarah Venner. However, this information has not been included in the application and the Council cannot therefore take this into consideration.
- 11) The arboricultural report states that 'this is also a species which is native to the UK and is not a commonly found tree in Sonning'. This is not wholly correct. The species is NOT native to the UK but whether a tree is native or commonly found or not has no bearing

on whether it is causing subsidence nor on whether it should be removed or retained. Each case should be decided on its merits not on prejudices over native vs non native or common vs uncommon.

- 12) The arboricultural report states that the tree is not visible from the public highway. This is not the case. The tree is visible from both Pound Lane and Pearson Road and contributes to the sylvan backdrop of the landscape as well as biodiversity, CO2 exchange and carbon sequestration.
- 13) The arboricultural report states that the tree '... is also located too close to the house and wall for a tree of this species'. However as the tree was there first the design and build of the house and wall and their foundations should, logically, have taken this into account.
- 14) The arboricultural report states that 'The existence of the tree also causes concern for future damage to the fabric of the house'. However there is no evidence of subsidence reported from the house and this claim is, therefore, unsubstantiated.

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, in particular, the required documents listed above in support of any claim that T1, red oak is the cause of subsidence damage to the retaining wall.

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:

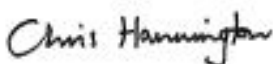
<https://www.gov.uk/government/publications/tree-preservation-order-appeal-form>

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. Mr D Wrigley, 16 Pound Lane, Sonning, Wokingham, RG4 6XE