

Tel: (0118) 974 6000
Email: development.control@wokingham.gov.uk
Date: 11 October 2024
My ref: CY/TPO/1146/2006/242053



WOKINGHAM BOROUGH COUNCIL

Mr Dabinder Bhatti
451 Finchampstead Road
Finchampstead
Wokingham
RG40 3RH

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

Dear Mr Dabinder Bhatti,

TREE PRESERVATION ORDER NUMBER: 1146/2006

APPLICATION NUMBER: 242053

**SITE ADDRESS: 449 AND 451 FINCHAMPSTEAD ROAD, FINCHAMPSTEAD,
WOKINGHAM, BERKS, RG40 3RH**

I am writing to you regarding your application to carry out works to protected tree(s), which was validated on the 12 August 2024. Please accept my apologies for this delayed decision.

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 G2 of TPO 1146/2006:

T1, Red Oak (part of G2)

- Crown reduction of the NW, W and SW sections of the canopy by approx. 3m-3.5m of the radial crown spread growing over the house and 2m-2.5m over the rest of the tree; crown lift to 7m by removing lowest primary stem to west side of canopy; remove major deadwood over driveway.

Reasons stated for works:

The Red Oak is located in the adjoining property 449 Finchampstead Rd, and a large proportion of the branches are overhanging my property resulting in excess debris falling onto the roof and driveway, shading, and branches hitting windows, roof tiles and guttering. This is resulting in disturbance to sleep, and presents a risk of damage to the property as well as causing injury to people using the driveway for access. Large pieces of dead wood have fallen onto the driveway and roof and certain areas of the driveway cannot be used for parking due to fear of vehicle damage. Roof damage has also been identified as caused by squirrels using the overhanging sections of the branches to access the roof, and has resulted in penetration of the roof seal and a leak in the top floor of the property. Debris fallout and shading from the tree has also resulted in significant moss build up on the roof of the property.

Officer comments:

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 or other diagnostic information from an appropriate expert.' To date, no detailed arboricultural information has been submitted to demonstrate that the trees are dangerous or diseased or that the proposed work is in the interests of health and safety.

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.

The subject beech has with a full, symmetric crown with a natural growth form that exhibits good vigour and vitality. The proposed would result in loss of leaf and live material of all sides of the lower tree crown; and create multiple large pruning wounds that are susceptible to disease and decay.

Due to the reasons stated above the proposed tree works has been refused.

However, I can confirm that Wokingham Borough Council **consents, with conditions**, to the following lesser works being carried out to the tree(s) included in the aforementioned Tree Preservation Order (TPO):

Approved Tree Work to G2 of TPO 1146/2006:

T1, Red Oak (part of G2):

- Cut back branches on NW, W and SW side overhanging no. 451 Finchampstead Road to create a 2m clearance to the property.

Approved Tree Work to G1 of TPO 1146/2006:

T2, Scots Pine (part of G1)

- Remove major deadwood over driveway and road.

T3, Scots Pine (part of G1)

- Remove major deadwood over driveway and road.

The consent is granted subject to the following conditions:

1. The above works must be completed before **11 October 2026** 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 points. Pruning cuts on T1, Red Oak in G2 of TPO 1146/2006 shall not exceed 80mm in diameter.
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.
3. Spikes can cause extensive long-term damage to trees.

Informative:

If you are aggrieved by any of the conditions attached to your consent, you may appeal to The Planning Inspectorate (PINS). Because of coronavirus (COVID-19), you can currently 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.

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.

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

Yours sincerely,



Chris Hannington
Trees and Landscape Team Manager

cc. Owner/occupier, 449 Finchampstead Road, Finchampstead, Wokingham, RG40 3RH

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