

## COMMITTEE REPORT

BY THE DIRECTOR OF ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES  
READING BOROUGH COUNCIL  
PLANNING APPLICATIONS COMMITTEE: 4 SEPTEMBER 2019  
TITLE: PROPOSED WORKS (RETROSPECTIVE) TO TREES AT THE FORMER WHITLEY  
LIBRARY, NORTHUMBERLAND AVENUE, READING

Ward: Church

### RECOMMENDATION

That the proposed tree works be retrospectively approved.

#### 1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report to and seek retrospective approval from Committee for works to Council maintained trees at the former Whitley Library, Northumberland Avenue, Reading subject to TPO 9/18 (TPO plan attached - Appendix 1).

#### 2. BACKGROUND

- 2.1 The premises were vacated in 2018 and at the request of the Council's Valuation section, trees on the site were surveyed to identify any worthy of inclusion in a TPO.
- 2.2 Officers identified four trees on the frontage worthy of protection and with agreement from Valuation, a TPO was served on 5 September 2018.
- 2.3 The Council's Tree Officer in Parks was asked for advice on appropriate works to the trees by Facilities Management and made several recommendations. Unfortunately neither party was aware of, or checked, the new TPO status of the trees hence the works were carried out without first obtaining approval.

#### 3. APPLICATION PROCESS

- 3.1 As the Council-maintained trees in question are subject to a Tree Preservation Order, a formal application is required for these works to be approved.
- 3.2 The Town and Country Planning Act 1990 requires applications for works to Council owned or maintained trees to be decided by a Committee of the Council which is not responsible for managing the land to which the application relates.
- 3.3 The law also requires a public notice to be displayed for at least 21 days giving details of the proposed works and contact details for any comments to be sent. However, as the application is retrospective in this case, a Notice was not displayed.

#### **4. PROPOSED WORKS**

4.1 The application (reference 191242) seeks retrospective approval for the following works:

- T2-T5 Cherry - crown lift to provide clearance for pedestrians and to remove branches that help to hide anti-social behaviour.

#### **5. RECOMMENDATION**

5.1 The works proposed (and carried out) are not considered to be harmful to the trees' appearance or future health and are reasonable works in order to appropriately manage the trees for the reasons stated. Had an application been submitted seeking approval for the works, this would have been given. It is therefore recommended that the works be retrospectively approved to regularise the situation.

#### **6. LEGAL IMPLICATIONS**

6.1 Preparing, serving confirmation and contravention of TPOs are services dealt with by the Council's Legal Section.

6.2 Applications for works to Council owned TPO trees are to be decided by a Committee and one which is not responsible for managing the land to which the application relates.

#### **7. FINANCIAL IMPLICATIONS**

7.1 Administrative.

#### **8. EQUAL OPPORTUNITIES IMPLICATIONS**

8.1 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age and disability. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to proposed tree works.

In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the tree works.

#### **9. SUSTAINABILITY IMPLICATIONS**

9.1 The aim of TPOs is to secure trees of high amenity value for present and future generations to enjoy. Trees also have high environmental benefits through their absorption of polluted air, creation of wildlife habitats, reduction of surface water runoff and flooding caused by heavy rain, provision of shelter and shading and reduction of noise. The Council's adopted Tree Strategy highlights the importance of the use of TPOs in the retention and protection of important trees in the Borough. Policy CS38 of the Council's Core Strategy relating to Trees, Hedges and Woodlands also reinforces the need to continue making new and retaining existing Tree Preservation Orders.

10. BACKGROUND DOCUMENTS

10.1 Planning Section's Tree Preservation Order Directory

10.2 Register of Tree Preservation Orders

10.3 Plan for TPO 9/18 relating to the former Whitley Library, Northumberland Avenue, Reading (Appendix 1)

Officer: Sarah Hanson

Appendix 1

