

## COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 7

PLANNING APPLICATIONS COMMITTEE: 8 FEBRUARY 2016

TITLE: OBJECTION TO A TREE PRESERVATION ORDER BBC CAVERSHAM PARK, PEPPARD ROAD, READING

Ward: Peppard

### RECOMMENDATION

That the Tree Preservation Order be confirmed.

#### 1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report to Committee an objection to Tree Preservation Order No. 22/16 relating to BBC Caversham Park, Peppard Road, Reading (copy of TPO plan attached - Appendix 1).

#### 2. BACKGROUND

- 2.1 The BBC has confirmed that BBC Caversham Park will be sold. The site contains numerous trees of importance locally and for the wider landscape. Given the development potential for the site, a TPO was considered prudent to ensure that all trees were retained until plans for the site are confirmed.
- 2.2 An 'Area' TPO was served on 17 November 2016 to protect all trees of whatever species on the site. This is considered to be an appropriate type of TPO at this time.

#### 3. RESULT OF CONSULTATION

- 3.1 An objection to the TPO has been made by Aspect Arboriculture on behalf of the BBC, based on the following points:

- Trees are an important natural feature of Caversham Park and there is a clear appreciation of this within the BBC, evidenced by ongoing and good arboricultural management for multiple objectives, majoring on the provision of safe access, amenity, ecological and heritage benefits.
- The TPO is not expedient in that if confirmed in its current form [an Area TPO], the Order would include trees that do not satisfy the criteria of a TPO and place avoidable burden on the ongoing management of the estate. It would be expedient to confirm a TPO on certain components of the extant treescape, but not all of it.

- 3.2 In response to the objections from Aspect Arboriculture, Officers have the following comments:

It is common practice for Officers to place 'Area' Tree Preservation Orders on potential development land in order that all trees are protected until such time as it is appropriate to replace this with a more specific TPO; normally when development proposals are agreed. It is never intended to

retain an 'Area' Order in perpetuity. Any TPO needs to be either confirmed or replaced within 6 months of being served. As development discussions can take considerably longer than this, it is sometimes necessary to confirm an 'Area' TPO, however this can be revoked at a later date when a replacement TPO is served and confirmed. In this case as plans for the land are not yet known, a TPO covering the whole BBC site was considered appropriate.

With regards to current arboricultural management, the BBC does not have any 'relationship' or understanding with the Council that would enable Officers to appreciate how the site is managed. In addition, the landowner has advised that the TPO would result in numerous, regular applications being made for tree work consent, the implication being that tree works are currently carried out on an ad-hoc or reactive basis. If a full tree survey has been done for the site, this would include recommendations for work to all trees on site. This could then be submitted alongside a tree works application to obtain approval for the works. Tree work approvals generally remain valid for 2 years, hence the BBC would have this period of time in order to undertake the works. This period can be extended if appropriate.

Certain works are exempt from requiring permission, albeit formal notice should be given. These include removal of dead wood/trees and removal of imminently dangerous trees or branches. In additional, with particular reference to the orchard on site, Government guidance advises:

'..the authority's consent is not needed before pruning any tree cultivated for the production of fruit, as long as the work is carried out in accordance with good horticultural practice'.

The TPO was served to demonstrate the importance of the trees on site for their amenity, historic and landscape value. The site is hugely important for its landscape value being on an elevated position, visible for many miles. Locally, the whole site is very important visually, including the green backdrop the site provides along the edge of Caversham Park village.

Current Government guidance advises that:

'..it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order'.

#### **4. CONCLUSION AND RECOMMENDATION**

- 4.1 It is currently considered 'expedient in the interests of amenity' (in line with Government guidance) for an Area TPO to be retained on the site. It is therefore recommended that the Area TPO be confirmed.

#### **5. LEGAL IMPLICATIONS**

- 5.1 Preparing, serving confirmation and contravention of TPO's are services dealt with by the Council's Legal Section.

## **6. FINANCIAL IMPLICATIONS**

6.1 Administrative.

## **7. EQUAL OPPORTUNITIES IMPLICATIONS**

7.1 In assessing objections to TPOs, officers will have regard to Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the making of this TPO.

## **8. SUSTAINABILITY IMPLICATIONS**

8.1 The aim of the TPO's 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 and creation of wildlife habitats.

## **9. BACKGROUND DOCUMENTS**

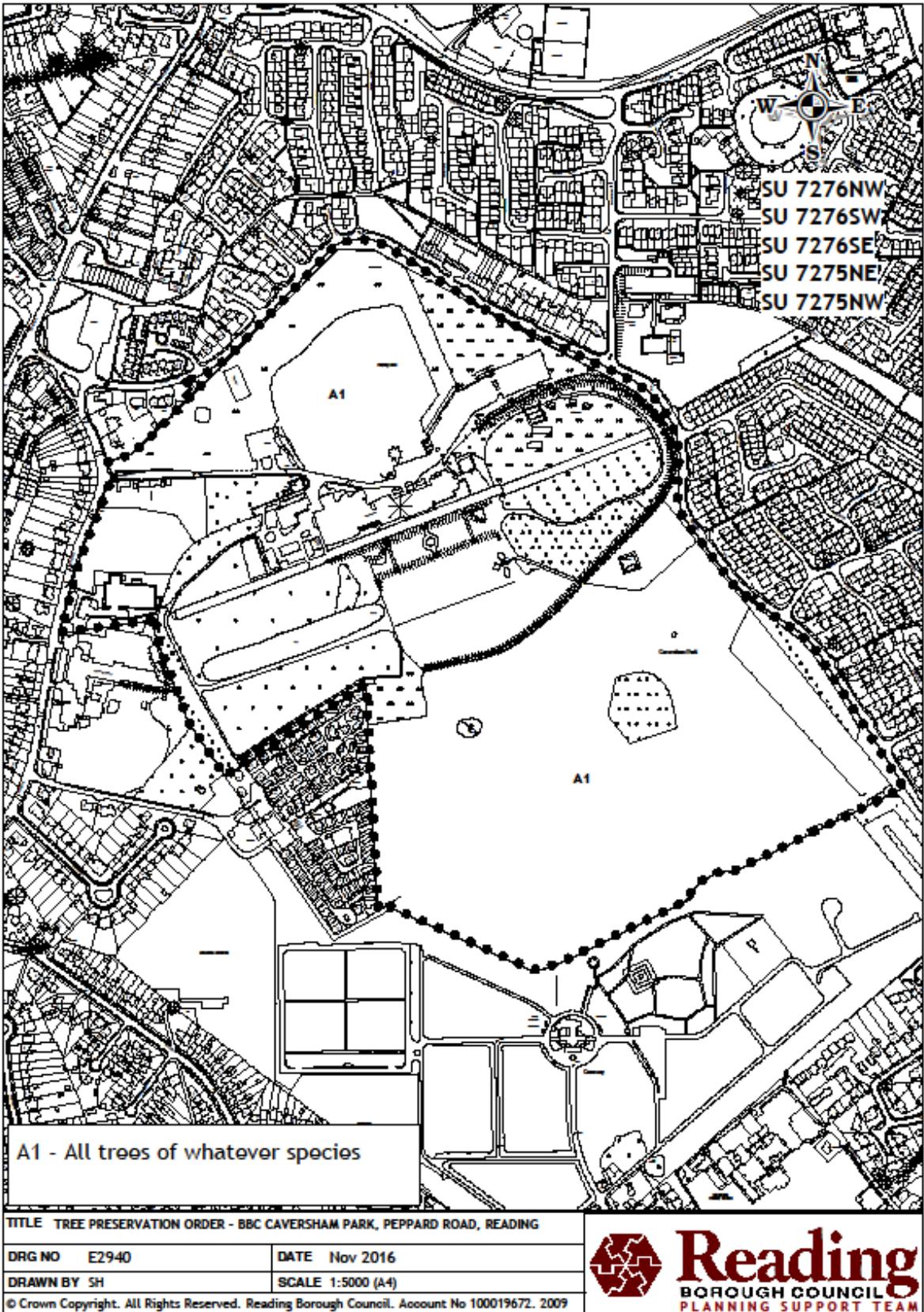
9.1 Planning Section's Tree Preservation Order Directory

9.2 Register of Tree Preservation Orders

9.3 Plan of TPO 22/16, relating to BBC Caversham Park, Peppard Road, Reading (Appendix 1)

Officer: Sarah Hanson

Appendix 1



Outline of the TPO Area is shown by: ●●●●●●●●●●