

DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO: **DC/26/0711: Carnforth, New Barn Lane, West Chiltington.**

REPRESENTATION AND CONSULTATION RESPONSES:

West Chiltington Parish Council have stated an objection to this application; the comments are provided below.

“The Parish Council objects to this application and requests a site visit by HDC’s Tree Officer, who should give full consideration to the protection afforded to these trees via their TPO.”

No additional representations have been received in respect of this application.

ASSESSMENT:

1. The trees the subject of this application which are covered by TPO/0631, are the mature Oak tree adjacent to the applicant's garage and main vehicular access to the property, referenced as T2 within the Order, and the Holly tree, referenced as T1 within the Order. TPO/0631 was served on the 10/10/1988.
2. The additional trees included within the application, such as the young Holly and Hawthorn, are not protected by the Tree Preservation Order and are therefore not subject to the same statutory controls.
3. The Oak tree is a mature specimen that is readily visible within the street scene. Whilst the adjacent lane serving a number of properties is private in nature, the tree is clearly visible from Public Footpath No. 2435, which runs alongside the lane. The tree therefore makes a notable contribution to local public amenity.
4. The tree has been subject to previous pruning works which appear to have been relatively poorly executed and resulted in what would commonly be described as topping. Whilst the tree has recovered from these earlier works and produced approximately six metres of new growth, which appears generally healthy and vigorous, undertaking a crown reduction back to the previous pruning points would result in a substantial loss of the tree's photosynthetic, leaf-bearing area. Such an approach would not represent best arboricultural practice and would be detrimental to the tree's health and the public amenity value it provides to the area.
5. Whilst it is acknowledged that some pruning works could be undertaken to help address the concerns of the tree owner, it would not be appropriate to carry out the works as proposed. Instead, any consent should be limited to a more appropriate crown reduction of no more than three metres throughout the crown.
5. It is recognised that, initially following the works, the tree may exhibit a somewhat stunted or "stubby" appearance due to the nature of its regrowth following the previous inappropriate pruning works. However, the tree is displaying good vitality and should recover well from the recommended works. As new growth develops, the visual appearance of the tree will soften, and a more natural crown form will gradually be restored.
6. There are several low branches interfering with the adjacent overhead power cables. The majority of these comprise epicormic shoots, which can be removed back to their points of attachment on the main stem up to the crown brake. In addition, there is a single medium-sized branch on the north-eastern side of the tree that is directly interfering with the power cables. The removal of this branch would not have a significant adverse impact on the health of the tree or its amenity contribution. Given that the branch is in physical contact with the overhead cables, its removal back to the point of attachment is considered both reasonable and prudent.
7. The Holly tree, proposed for removal is a mature specimen that does contribute to the amenity of its setting, albeit in a limited capacity due to its overall quality coupled the presence of additional mature trees within the surrounding area.
8. The primary justification provided by the applicant for its removal relates to its size and stature, together with its perceived impact on the adjacent garden areas and the roof of the garage. During the site inspection, it was evident that the grassed areas in the vicinity of the holly tree were heavily affected by moss growth. Moss was also present on the side and roof of the adjacent garage, all of which are heavy shade indicators.
9. The Holly tree has been reduced in the past to a height of approximately four metres, from which around three metres of subsequent regrowth has developed, this previous work has altered how the tree is viewed from a visual amenity perspective. Its overall physiological condition appears relatively poor. The crown is notably sparse and is estimated to retain only around 60% foliation. In addition, the foliage present is generally small and slightly discoloured, which may be indicative of an underlying physiological disorder,

nutrient deficiency, root-related stress, or adverse environmental conditions, all of which may be contributing to its evident decline in vigour.

10. Whilst it is acknowledged that the reasons stated within the application for the Holly tree's removal would not normally constitute sufficient justification for the felling of a protected tree, the assessment of this application must also take account of the tree's current condition and the amenity contribution that it affords to its setting.

11. In this instance, the Holly tree's contribution to public amenity, is best described as very localised. Whereby, views of the tree outside of its immediate vicinity are very limited and restricted by the additional mature tree coverage in the area; the tree can't be seen from the south on Harborough Hill, and views of it in its entirety from the south can't be obtained until you are a few metres away from it. Views of the tree from the north when looking south on New Barn Lane, are somewhat better, however, the tree does not stand out as a specimen of note.

12. Furthermore, Holly's relatively limited physiological condition is considered to constrain its long-term retention potential. When considered alongside its modest visual amenity value, the removal of the tree is considered to be reasonable on arboricultural grounds, subject to a condition requiring replacement planting. The applicant has agreed to this requirement, ensuring that the overall level of tree cover and associated public amenity within the locality is maintained over the long term.

RECOMMENDATION:

Grant consent subject to the conditions below.

CONDITIONS TO BE APPLIED:

1. TR2 *Time limit, 2 years*

2. TR3a *Treeworks limit (bespoke)*

The tree work to which this consent relates shall be limited to:

- Oak T2 - Crown reduce tree all-round by trimming branches to suitable growth points, where they are available, by up to no more than 2.5m to 3m where needed, leaving a well-balanced crown,
- Oak T2 thin the internal crown by no more than 10%. Remove the first main lateral branch on the northeast side of the tree, back to the point of attachment, and remove low epicormic growth from the main stem to the crown brake.
- T1 Holly fell and replace.

Reason: for the avoidance of doubt.

3. TR4 *Surgery standards*

4. TR7 *Replacement (Single Tree)*

- Following the removal of the Holly tree to be felled under this consent, the specified standard nursery stock (minimally 8-10cm in girth and 2 – 2.5m in height) replacement of the following species: Hawthorn 'Paul's Scarlet' (*Crataegus × media* 'Paul's Scarlet') Field Maple (*Acer campestre*), or Purple Leaved Plum (*Prunus cerasifera Nigra*); shall be planted in the specified position within 6 months of the date of this consent i.e in the next tree planting season (Nov 26 to Mar 27). In the event that this tree should die following planting, it shall be replaced with a similar tree in a similar position within six months of its death.

Reason; in the interests of amenity

TINF1 *Note to applicant.*

TINF2 *Wildlife protection.*

DELEGATED

Authorising Officer sign.....ANBU..... **Arboricultural Officer (Development).**

Date.....14 Aug 26