

Tandridge District Council

Tree Works Application

REPORT

Application No: 2017/109/TPO
Description: TPO 206 (Tandridge)
Remove 4x Ash & 1x Hawthorn
Site: Graylings, Camp Road, Woldingham CR3 7LH
Application Date: 23rd January 2017 (Date received/ valid: 24th January 2017)
Site visit undertaken: 9th March 2017
Recommendations: SPLIT DECISION

Scope of report

To consider the effect of the proposed works on the amenity value that the trees afford the local area and the necessity of the works based upon the reasons put forward to support the application.

Consultations

31/1/2017: The Woldingham Association. Objection on grounds of no supporting documentation regarding the state of the trees; the protected trees on site screen development and protect the character of the area; replacement planting with semi-mature trees should be required if approved.

14/2/2017: Woldingham Parish Council. No objection to removal of T14, T15 and T16. Objection to removal of T18 & T23 as trees have significant amenity value in preserving the sylvan nature of the hillside; it is not clear there is any reason for their removal as no evidence of poor condition has been provided.

Planning history

Subject trees are protected as within Area A1 of the above Order, made July 1988.

One previous tree work application is held on file:

- January 2010: Pollard one Ash back to first fork; reduce crown of two Ash by 30%; remove four lowest branches on north side of one Ash. Permitted (TA/2009/1509/TPO).

Tree evaluation

Tree nos. refer to the submitted sketch plan.

T14 - Ash - a large mature Ash, ivy clad to full height.

T15 - Ash - large, mature tree with 4 stems - dead and decaying

T16 - Thorn - a small tree

T18 - Ash - early mature tree, either twin-stemmed or two trees; the northernmost stem further divides, with the union exhibiting included bark and an open mouthed split. Failure is likely.

T23 - Ash - large, mature tree of poor form and condition. Partial failure to north side, with damaged limb hung up in neighbouring tree.



Amenity evaluation

T15 is dead and decaying. T16 is a small tree of negligible public amenity value. T18 is located within the site which slopes steeply away from the roadside; it is screened from wider views by the screen of coniferous trees to the rear and makes no material contribution to public amenity; T23 is similarly located within the site and although slightly more prominent, with other large, mature trees in close proximity its solus contribution to amenity is minimal.

T14 is prominently located towards the roadside and is considered to be of good public amenity value.

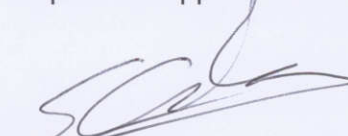
Discussion

Objections received are noted and have been considered.

The application seeks removal of all 5 trees. The removal of trees T15, T18 and T23 is justified by their condition; the contribution to amenity of T16 is such that no arboricultural justification is considered necessary for its removal. A condition for replacement planting cannot be justified given the limited impact on amenity of these removals.

T14 is prominently located towards the roadside frontage of the site and is considered to be of good public amenity value. The application cites 'poor form, limited lifespan' as reasons for removal. It is acknowledged that the extent of ivy colonisation would have precluded a full inspection of the tree, but no evidence has been adduced to support the assertion of a limited lifespan.

The removal of T14 is accordingly not justified by the reasons cited in support, and in this respect the application is to be refused.


Steve Hearn
Tree Officer
20th March 2017

Works Refused: Removal of one Ash (T14 of the application)

Reasons for refusal:

Government advice on the administration of Tree Preservation Orders contained within paragraph 90 of the Planning Practice Guidance 'Tree Preservation Orders and trees in conservation areas' highlights the process that should be followed when considering a tree work application. The advised approach is to undertake an assessment of the tree's amenity value, including the likely impact of the work on that value, and, in light of this, to consider whether the works are justified whilst having regard for the reasons put forward to support the works. It is generally accepted that the higher the amenity value of the tree and the greater the likely impact of works upon that tree then the stronger the reasons required before consent should be granted.

T14 is prominently located towards the roadside and is considered to be of good public amenity value.

It is acknowledged that the extent of ivy colonisation would have precluded a full inspection of the tree, but no evidence has been adduced to support the assertion of a limited lifespan. The application provides insufficient justification for the removal of this tree, T14, and the works are refused.

Permitted Works: Remove 3x Ash (T15, T18, T23) & 1x Hawthorn (T16)

Conditions:

1. All works must be in accordance with BS 3998:2010 or current industry best practice.

***Reason:** To ensure that people and property are appropriately safeguarded and to ensure that damage to other, protected tree(s) is avoided and that their long term physiology and structure, and thus amenity, is not compromised.*

Informatives

- (i) *The consent hereby provided is valid for a period of 2 years from the date of this decision notice.*
- (ii) *The Wildlife & Countryside Act 1981 makes it an offence to damage or destroy the nest of any wild bird whilst that nest is in use or being built. It is also an offence to take or destroy the egg of any wild bird. It is recommended that this tree be inspected for nesting birds prior to the commencement of works. If nests are found then it is recommended that the advice of either Natural England or a suitably qualified ecologist is sought before any works are undertaken. Natural England may be contacted by phone on (0845) 6003078 or via e-mail at enquiries@naturalengland.org.uk.*
- (iii) *Bats are currently protected by the Wildlife & Countryside Act 1981, the Countryside Rights of Way Act 2000 and The Conservation of habitats and Species Regulations 2010. In brief this makes it an offence to both intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection and to intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection.*

Trees that may have roost potential should be inspected before any works commence and if the presence of bats is suspected then advice should be sought from the Bat Conservation Trust Bat Helpline on 0345 1300228.

- (iv) If you are not the owner of the tree(s) concerned you should obtain the Owner's consent before carrying out the works permitted, unless permissible under Common Law Rights.*