

DELEGATED REPORT

APPLICATION NUMBER	S6/2004/1082/TP
LOCATION	65 The Ridgeway, Cuffley, Potters Bar
PROPOSAL	Removal of tree 73 of TPO 64

THE SITE

The application site is located on the southern side of The Ridgeway, Cuffley and comprises a dwelling towards the site frontage. The Cedar tree (T73) is located on the frontage of the property together with two oak trees (T71 & T72).

THE PROPOSAL

The application seeks permission under the Town and Country Planning Act 1990 s198 and the Town and Country Planning (Tree Preservation Order) Regulations 1999 (as amended) for the removal of the Atlantic Cedar tree T73.

The applicant states that he has concern over the proximity of this tree to the property and possible damage that may be caused. The tree is to be felled to ground level.

PLANNING HISTORY

S6/2003/1522/TP	Works to trees covered by TPO 64 <i>Granted (conditional approval)</i>
S6/2001/0445/FP	Erection of side extension and alterations to roof <i>Granted</i>
S6/2001/0967/FP	Alterations to existing garage to form first floor accommodation <i>Withdrawn</i>
S6/03/0758/FP	Erection of front boundary wall and gates <i>Withdrawn</i>

SUMMARY OF RELEVANT DEVELOPMENT PLAN POLICIES

Hertfordshire Structure Plan Review 1991- 2011:
None relevant

Hertfordshire Structure Plan Alterations 2001- 2016 (Deposit Draft Feb 2003):
None relevant

Welwyn Hatfield Local Plan Alterations no 1 1998:
CR6 – Countryside Trees, Woodlands and Hedgerows

Welwyn Hatfield Review Local Plan Deposit Draft, June 2002:
R14 – Trees, Woodlands and Hedgerows

REPRESENTATIONS

The Council's Trees Officer has been to inspect the Cedar tree (T73) and he does not wish to see it removed (see discussion).

Northaw & Cuffley Parish Council has not commented on this application.

No other communications have been received.

DISCUSSION

The main issues relate to the acceptability of the works proposed to protect and retain existing trees, woodland and hedgerows (particularly the trees subject to a Tree Preservation Order) in accordance with adopted and emerging policy.

The Council's Trees Officer's view is that it seems the property is being extended and some of the Cedars branches are interfering with roofing work. There has been some recent low calibre work carried out to the tree involving the removal of limbs and branch tips closest to the work (photos are available if evidence is required), some of this work has left stumps which may potentially die-back into the stem and promote infection by pathogens. Otherwise the tree is in a good state of health with no signs of pest or disease, major wounds or any other important defects. It is in a very high impact area and is visible for a large distance providing greatly to the amenity of the area.

Consequently, the Trees Officer advises that the application to remove the Cedar tree T73 protected by TPO 64 should be refused.

There are no other issues to consider.

CONCLUSION

The proposed removal of the protected Cedar tree (T73) is unacceptable and does not constitute the proper management of trees, woodland, and hedgerows. The application fails to comply with Policy CR6 of the Welwyn Hatfield Local Plan Alterations no 1, 1998 or with Policy R14 of Welwyn Hatfield Review Local Plan Deposit Draft, June 2002.

RECOMMENDATION

That application S6/2004/1082/TP be REFUSED for the following reasons:

REASONS FOR REFUSAL

1. The proposed removal of the protected Cedar tree T73 is unacceptable and does not constitute the proper management of trees, woodland, and hedgerows. The application fails to comply with Policy CR6 of the Welwyn Hatfield Local Plan Alterations no 1, 1998 or with Policy R14 of Welwyn Hatfield Review Local Plan Deposit Draft, June 2002.

DRAWING NUMBERS

OS plan indicating location of the Cedar tree T73