

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
WORKS TO TPO TREES DELEGATED REPORT

APPLICATION No:	<u>S6/2013/0665/TP</u>
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DESCRIPTION OF PROPOSAL:

Remove 2 meters of overhang from oak tree T4 covered by TPO 3

HISTORY

None

TOWN/PARISH COUNCIL COMMENTS:

None received

REPRESENTATIONS:

The application was advertised by means of neighbour notification and one representation was received. The representation requests further information.

DISCUSSION:

The oak tree stands within the rear garden of 34 Kingsmead, Cuffley, on the rear boundary. The oak is fully mature with a full crown and good vitality. There are no apparent notable structural issues. The tree still has amenity value and is still worthy of protection with a TPO.

The applicant has described the works as, *“Remove 2 meters of overhang from oak tree and remove loose branches and split branches.”* On visiting the tree from the owners land, no split or ‘loose’ (assume broken) branches were visible. These works would generally be undertaken under a five day notice.

The proposal of works is slightly ambiguous. Removing two meters of overhang can be interpreted as a crown lift, trim back or selective pruning. The tree has a very uneven crown spread. Looking north east at the tree, the crown spread over 4 Orchard Close (north west) is perhaps a half to a third of the distance of that on the opposite side of the tree (south east). The tree has a relatively even crown spread on the other aspects (north east and south west). Reducing the tree back on the aspect of the tree which overhangs 4 Orchard Close would exacerbate this crown spread difference and would leave very little lateral branch length on the north west side of the tree. This would leave the crown shape quite unnatural and possibly expose the surrounding branches to forces exerted by the wind or snow, increasing the likelihood of failure.

Both properties lie on a gently sloping hill side. The tree is at a slightly higher point on the slope than 4 Orchard Close. This exaggerates the crown lift of the tree, which is currently an estimated five to six meters. No branches are hindering the overall use of the garden. Again the profile of the tree is not even, with branches hanging lower on the parts of the tree over the tree owner’s garden than over the applicant’s garden.

Selectively pruning branches for overhang is going to give a similar outcome to reducing back branches discussed above.

As no particular reason has been give as to why the tree needs to be trimmed, and nothing was apparent on site, there is an assumption it is for one of the commonly stated reasons such as increasing light, reducing leaf fall etc. No tree works are likely to remedy these issues in the short or long term as it is the overall mass/bulk or existence of the tree which raises issues.

Tree works to only this portion of the crown are likely to exaggerate the overall shape of the crown and expose adjacent branches to more forces or pressures. Due to the overall form of the tree, pruning works on this part of the crown are likely to reduce the amenity value of the tree.

RECOMMENDATION: REFUSAL

1. The proposed works would have a detrimental effect on the amenity value of the tree and significantly impact on the local environment and its enjoyment by the public. The proposal is therefore contrary to section 198(1) of The Town and Country Planning Act 1990.
2. Insufficient information has been supplied to justify the proposed works. The application does not include such information as is necessary to specify the work for which consent is being sought or a statement of the applicants reasons for making the application. The application is therefore contrary to section 16 of The Town and Country Planning (Tree Preservation)(England) Regulations 2012.
3. The proposed works are inappropriate for the tree and do not comply with British Standard 3998:2010 Tree Work – Recommendations. No justification has been given as to why the works, for which consent is being sought, deviate from best arboricultural practice. The proposed works would adversely affect the structural integrity and sustained growth of the tree and is therefore contrary to section 198(1) of The Town and Country planning Act 1990.

REFUSED DRAWING NUMBERS: Tree location photograph as shown on Question 7 of the application form received and dated 20 March 2013.

Author:

Date: ...10 June 2013...