

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

APPLICATION No:	<u>S6/2012/1525/TP</u>
LOCATION:	Chancellors School, Pine Grove, Brookmans Park
PROPOSAL:	<u>To fell Monterey cypress (T1 TPO226), two oaks (T2&T3 TPO226) and an English oak (T9 TPO170).</u>

DESCRIPTION OF PROPOSAL: To fell a Monterey cypress and three oaks due to implication in cyclical movement of adjacent building.

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Policy framework
East of England Plan 2008

Hertfordshire Structure Plan Review 1991 – 2011
None

Welwyn Hatfield District Plan 2005
GBSP1: Definition of Green Belt
R17: Trees, Woodland and Hedgerows
D2: Character and Context
D8: Landscaping

PARISH COUNCIL COMMENTS:

North Mymms Parish Council responded, “North Mymms Parish Council normally objects to work covered by a Tree Preservation Order but will accept the recommendation of the Arborologist.”

REPRESENTATIONS:

The application was advertised by means of neighbour notification and site notice and two representations were received, both object to the proposal. The response received on the 14th August 2012 objects to the removal as an alternative method of stabilising the house is noted in the report and that a re-hydration of the soil should be carried out (as per Holworth, A. and O’Sullivan, D., Subsidence and Trees – A soils Perspective, undated). The objection received on the 16th August 2012 as one of the reports suggests an alternative to tree removal and the high amenity value of the trees.

DISCUSSION:

The trees in question are all in reasonable health and condition. Tress T1 (cypress), T2 and T3 (both oaks) stand within the Chancellors School playing field. Tree T9 stands within the garden of 61a Pine Grove. All the trees surrounding 61a Pine Grove have been subject to regular application for pruning since 1999, for various reasons.

Some applications have been approved some refused. Previous applications had not clearly indicated that any damage to the building was in relation to the adjacent trees.

The application is from OCA Ltd on behalf of the insurers of 61a Pine Grove. Neither owners of the trees, Hertfordshire County Council/Chancellors School or 61a Pine Grove commented on the application.

The Factual Report of Investigation issued 19th March 2012, states that clay was found to a depth of 2.8m, the depth of the underpinning on the southern corner of the building. A borehole found roots to a depth of 4.4m, a selection of these roots were identified as Quercus (oak) and Cupressaceae (cypress). Due to the proximity of the trees to the trial pit and borehole this is not surprising. The soil was tested for plasticity and desiccation and was found to have high potential for volume change and desiccation from 2.5m.

Level monitoring was undertaken between 21st September 2011 and 26th June 2012 on the rear, front and side of the building closest to the trees. These results show a seasonal shrinkage of the soil which is consistent with the phenology of deciduous trees.

With regard to the representations received, they fall into three categories:

- the amenity value of the trees
- alternative methods of stabilising the building
- re-hydrating the soil.

The amenity value of the trees has not been questioned within the application and the focus is only on the moving building.

Although the building is relatively modern it has already been underpinned in various locations. The Engineering Appraisal Report, which suggests various routes and costs, has been examined by the two people who gave representations and thought to be perhaps excessive in their estimates. Considering the previous works undertaken to the building and the works which will be required it is likely the costs noted are reasonable and the route which has been chosen, removal of the trees, is reasonable for the insurers to take.

Re-hydrating soil to close cracks is noted in a paper written by Howorth and O'Sullivan (Subsidence and Trees – A Soils Perspective). This may appear to be an obvious remedy using basic soil science. However it presents its own difficulties, impracticalities and issues all of which have been discussed within other peer reviewed technical papers. It is not currently a practical method of resolution for subsidence.

One representative noted the possibility of utilising a root barrier in order to retain the trees. As the trees are so close to the building this is not practical. If the deep trenching to insert the barrier does not set the trees into a spiralling decline, their stability certainly will be doubtful as a large proportion of the root plate is severed from the tree.

Sadly, following the refusal of application S6/2010/2238/TP, to fell the trees, on the grounds of insufficient evidence, OCA has provided enough information to implicate the adjacent trees in the movement of 61a Pine Grove.

Two conditions have been included for replanting trees on both sites. Both sites have sufficient land to undertake planting at appropriate distances from the buildings. The

School has been given an option for planting either a new Monterey cypress or Scots pine. The residence at 61a has a long garden which shares a boundary with Georges Wood. Although the suggested trees do not ultimately grow to the size of the removed species, they will add to the amenity and bio-diversity of the area and should thrive in shaded area, away from the building and close to the woodland.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS

- 1 The works hereby approved shall be undertaken within two years of the date of this notice.

REASON: To ensure that works to trees are undertaken within an appropriate time scale, after which time reconsideration of their suitability should take place.

- 2 The works hereby approved shall be undertaken in accordance with the British Standard 3998:2010 (Tree Work) and by an appropriately qualified person

REASON: To ensure that any works undertaken comply with arboricultural best practice.

- 3 One *Prunus avium*, *Acer campestre* or *Malus sylvestris* (with minimum girth of 8-10cm circumference) shall be planted within the rear garden of 61a Pine Grove, Brookmans Park in the next available planting season (November-February) unless otherwise agreed in writing by the Local Planning Authority.

REASON: Replacement trees are required given the current amenity value of the tree(s) and consent is only given for the works because of the poor structural condition of the tree.

- 4 One *Cupressus macrocarpa* or *Pinus sylvestris* and two *Quercus robur* or *Quercus petraea* (with minimum girth of 8-10cm circumference) shall be planted within the grounds of Chancellors School, Pine Grove, Brookmans Park in the next available planting season (November-February) unless otherwise agreed in writing by the Local Planning Authority.

REASON: Replacement trees are required given the current amenity value of the tree(s) and consent is only given for the works because of the poor structural condition of the tree.

REASON FOR APPROVAL: The proposal has been considered against development plan policies (i.e. National Planning Policy Framework, East of England Plan 2008; Welwyn Hatfield District Plan 2005 GBSP1, R17, D2, D8), in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

DRAWING NUMBERS: Location plan received and dated 11 July 2012.

Author:.....

Date:.....