

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2020/1736/EMT
Location: 4 Densley Close Welwyn Garden City AL8 7JX
Proposal: Fell 1 x Oak tree (T3)
Officer: Mr Gregory Coppenhall

Recommendation: Granted

6/2020/1736/EMT

Context			
Site description	4 Densley Close, Welwyn Garden City, AL8 7JX		
Constraints	Estate Management Scheme, as defined within the Leasehold Reform Act 1967		
Relevant Estate Management history	Planning Application Number: 6/2020/0050/EM Decision: Granted Decision Date: 06 March 2020 Proposal: Crown reduce 2x Oak trees by 30% (T1 and T2)		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Summary of neighbour responses	None		
Consultees and responses	<p>The Gardens Trust - Alison Allighan 6/08/2020 15:03 - Thank you for consulting The gardens Trust, of which HGT is a member.</p> <p>We note that an application has already been made to fell 2 oaks at this property under 6/2019/2697/TC. It would appear from the scanty plans supplied that the tree referred to in this current application as T3 is the same as T1 in the previous application.</p> <p>We are concerned at loss of mature oak trees from this historic site which was woodland hundreds of years before the houses were built . As several properties in the immediate neighbourhood are also requesting felling of trees we consider that cumulatively this will adversely affect the character of this area of Welwyn Garden City.</p>		
Relevant Policies	Policy EM3 – Soft Landscaping		
Main Issues			
Appropriateness of the works in relation to the tree(s)	The trees condition and suitability is considered to be good with a remaining useful life expectancy of approximately 100+ years. The trees overall size can be classed as large with some visibility to the public.		

	<p>Despite the tree being a good specimen, it is indicated within a subsidence issue. A subsidence issue has occurred and trees have been indicated as the cause. Sufficient evidence has been provided to indicate the trees are causing the issue.</p> <p>Evidence supplied includes:</p> <p>Level and crack monitoring – displaying seasonal movement of levels and cracks on the building to show the movement in the cracks and levels is reflective of subsidence caused by vegetation.</p> <p>Arboricultural report – identifying trees causing the issue.</p> <p>Site investigation factual report - inclusive of soil analysis (shear strength, moisture content, shear vane strength etc.), bore pits and root sample analysis.</p>
<p>Conclusion</p>	
<p>From the above considerations, it is concluded that the tree(s) are not appropriate for a Tree Preservation Order due to the damage being caused by the issue of subsidence, which appears to be caused by the tree.</p>	

Conditions:

1. All works carried out in pursuance of this consent shall be and remain part of the Premises and shall be subject to the terms and conditions of the conveyance in all respects as if such works had at all times formed part of the Premises.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

2. This consent or copy hereof shall be annexed to the Conveyance.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

3. There shall be no encroachment over the boundary of the plot either above or below ground level, nor any interference with the foundations of the adjoining property without the agreement of the adjoining owner or lessee.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

4. This consent now issued is given by the Council only in accordance with the requirements of the Management Scheme/Conveyance or Leasehold Covenants.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

5. No works to the tree(s) hereby approved shall commence until details of a suitable replacement tree have been submitted to and approved in writing by the Council. Subsequently, the approved replacement shall not be planted, other than in accordance with the approved details.

REASON: A replacement tree is required given the current amenity value of the tree(s) in accordance with the requirements of Policy EM3 of the Estate Management Scheme.

The replacement, given the subsidence issue, should be a species that does not obtain a great height or water demand and placed a sensible distance from the house.

6. 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.

DRAWING NUMBERS

7. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
Tree Sketch		Tree Sketch	15 July 2020

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

Determined By:

Ms Emma Griffin
11 September 2020