DELEGATED REPORT

Recommendation Made: 20 June 2011

Reference:- 11/00338/TPO **Parish:- Hinckley**

Applicant:- Miss Edith Janet Wood
5 Lyneham Close
Hinckley
Leicestershire
LE10 0XY

Location:- 5 Lyneham Close Hinckley Leicestershire LE10 0XY

Proposal:- WORKS TO ASH TREE (T1 ON TPO)

Introduction:-

This application seeks approval to carry out a 50% Crown reduction to a protected Ash tree located in the rear garden of No. 5 Lyneham Close, Hinckley. The tree is covered under the Hinckley (Clifton Way) Tree Preservation Order 1976.

The justification for the application is due to the evidence of fungal disease, the applicant is concerned about the health of the tree and the safety of surrounding properties.

History:-
01/00795/TPO Works to one Ash tree Approved 20/08/01
00/00482/TPO Removal of two lower limbs and deadwood Approved 14/06/00

Consultations:-

At the time of writing the report no response was received from:-

Ward Members.

The Borough Council's Arboriculturalist has confirmed the presence of a fungal colonisation (Inonotus hispidus) on three areas of the main stem. The fungus has been recorded as being present for at least 8 years in critical areas of the lower stem and above and below the main fork. This fungus causes white rot and selective delignment of heartwood and can lead to stem failure in later stages. The tree is in full leaf and good overall shape, but the structural defects indicate risk of stem or branch failure. Light Crown reduction is not feasible with this species and would not sufficiently reduce the risk. The proposed reduction of 50% will dramatically change the appearance of the tree and lead to further decline, but if undertaken with care, the Crown could regenerate at a lower level. The application is recommended for approval, but it is also recommended that the remaining branches and subsequent regrowth be regularly maintained.

Development Plan Policies:-

No Policies.

Appraisal:-

The main consideration with regards to this application are the health, appearance and safety of the tree.

The tree is currently in full leaf and has good overall form; however, the tree is not safe and the structural defects indicate the risk of branch failure. Due to the confined location within the rear garden of No. 5 Lyneham Close, the likelihood of damage or injury is high, should branch failure occur.

The fungal disease is known to cause rot and structural damage in it's later stages and the fungus on this tree has already been recorded as being present for at least 8 years.

Although the appearance of the tree will be dramatically affected by a 50% reduction to it's visual detriment, it is considered a necessity in order to retain the tree in a healthy and safe state. If carried out by a qualified Arboriculturalist in accordance with British Standards, there is the possibility that the Crown could regenerate at a lower level. The tree would also require regular maintenance in order to ensure it's health, safety and appearance.

I therefore recommend that the application be approved, subject to conditions.

Recommendation:- Consent to carry out work to tree(s) protected by a Tree Preservation Order subject to the following conditions:-

1 Works are limited to the Crown reduction by 50% only.

2 All works shall be carried out in accordance with British Standards 3998 - 'Works to Trees'.

3 Following the reduction of the Crown, the remaining branches and any subsequent regrowth at a lower level shall be regularly maintained.

Reasons :-

1 To maintain the health and safety of the tree.

2 To ensure that the works are carried out in a satisfactory manner.

3 To ensure the health, safety and appearance of the tree.

Notes to Applicant:-

1 It is a criminal offence to damage or destroy a bat roost. Therefore, if the tree is mature and has hollow cavities and / or is covered with ivy, or has suitable places in which bats might roost, we recommend that it be surveyed for bats before any work is carried out to the tree. All birds, their nests and eggs are protected by the Wildlife and Countryside Act. We recommend that work to trees is done outside the bird-nesting season - i.e between the end of August and beginning March. If work to the tree is to be undertaken during the bird breeding season, we recommend that a suitably qualified ecologist surveys the tree for nesting birds. If nesting birds are present, work must be postponed until the young have left the nest.

Contact Officer:- Debbie Phillips Ext 5603