DELEGATED REPORT

Recommendation Made: 25 August 2009

Reference:- 09/00577/TPO **Parish:- Shackerstone Parish Council**

Applicant:- Mrs Maureen Baxter
Rowan
1 Shadows Lane
Congerstone
Nuneaton

Location:- Rowan 1 Shadows Lane Congerstone Nuneaton Leicestershire

Proposal:- WORKS TO 1 NO. ROWAN TREE AND 1 NO. MAPLE TREE

Introduction:-

This application seeks approval to Crown lift and reduce the Crown by 30% of a Norway Maple tree and to reduce the Crown of a Rowan tree by 30%.

A Preservation Order was placed on the trees in 2003 following an application to remove them as the trees lie within a Conservation Area, a further application was then made to carry out works to maintain the trees.

History:-

82/0062/4	Erection of garage	Approved	29/07/82.
03/00671/TPOCA	Cutting down of three trees and reducing height if conifers	Preservation Order	21/07/03.
03/00971/TPO	Works to two trees	Approved	15/09/03.

Consultations:-

No objection has been received from Shackerstone Parish Council or The Borough Council's Conservation Officer.

Director of Community Services (Ecology) have sent their standard response regarding bats and nesting birds.

The Borough Council's Arboricultural Officer has responded recommending that the Norway Maple is causing cracking to the garden wall and that a 30% Crown reduction would be difficult to acheive due to the trees positioning and the amount of inner growth in the Crown, he has therefore recommended that he be present on site when the works are carried out to define 30% and accompany the reduction with a 2.5m Crown lift. The Rowan tree will not tolerate a Crown reduction, although he has recommended that the tree would benefit from a Crown lift to 2.1m above ground level and the removal of deadwood.

Development Plan Policies:-

No Policies.

Appraisal:-

The main considerations with regards to this application are the impact that this proposal would have on both the trees and the surrounding area. The applicant has accepted the advice of the Borough Council's Arboricultural Officer and has agreed to the changes in reduction and conditions are imposed. It has also been agreed that the Arboricultural Officer could be present on site when work starts.

I am therefore recommending approval of this application subject to the following conditions:-

1 Works to the Norway Maple are limited to the reduction of the Crown to be agreed on site and a Crown lift up to 2.5m above ground level only.

2 Works to the Rowan are limited to the Crown lift of up to 2.1m above ground level and the removal of deadwood only.

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

Reasons :-

1&2 To ensure the health and maintenance of the tree and the surrounding area.

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

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 Bates Ext 5603