DELEGATED REPORT

Recommendation Made: 21 July 2011

Reference:- 11/00366/TPO **Parish:- Hinckley**

Applicant:- Mr Kevin Woods
13 Hays Lane
Hinckley
Leicestershire
LE10 0LA

Location:- 8 Lawton Close Hinckley Leicestershire LE10 0YG

Proposal:- WORKS TO THREE ASH TREES

Introduction:-

This application seeks approval to carry out works to three protected Ash trees located in the rear garden of No. 8 Lawton Close, Hinckley. The trees overhang a development site to the rear of No. 8 Lawton Close, adj. to No. 12 Brascote Road, for which planning permission has already been granted for a new dwelling (08/00564/FUL). The trees are protected by the Hinckley (Clifton Way) Tree Preservation Order 1976 and form part of a group of 21 protected Ash trees and are not within the ownership of the applicant.

The proposal consists of cutting back the lateral limbs that overhang the development site, back to the boundary, in order to give a 1m clearance from the trees to the approved dwelling.

History:-

08/00564/FUL Proposed Erection of One Dwelling Approved 11/07/2008

Consultations:-

At the time of writing the report no comments have been received from:-
Ward Members.

The Borough Council's Arboriculturalist has responded confirming that branch removal is required to implement the approved consent but Crown lifting should be specified as opposed to pruning back to the boundary. Crown lifting should be carried out in accordance with BS3998:2010 - Tree Work Recommendations to ensure that pruning is targeted correctly and specifically, pruning in accordance with Figure 2 of the British Standard.

Development Plan Policies:-

No Policies.

Appraisal:-

The main considerations in the determination of this application are the health and visual appearance of the trees.

The works are necessary to implement the approved planning consent as the trees overhang the development site, however it is considered that Crown lifting would be more appropriate than cutting back the branches to the boundary. After discussions with the agent, it has been agreed that the Crown lifting of the three Ash trees up to 10m would be more acceptable to give a reasonable clearance from the approved dwelling.

It is not considered that the Crown lifting up to 10m would have an impact on the health or visual appearance of the trees, providing the work is carried out in accordance with British Standard. Therefore, the application is recommended for approval.

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 lifting of the three Ash trees up to 10m only.

2 All works shall be carried out in accordance with British Standards 3998:2010 - 'Tree Work Recommendations'.

Reasons :-

1 To maintain the health and visual appearance of the trees.

2 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.

2 This permission does not give the authority to enter onto land not within the ownership of the applicant.

Contact Officer:- Debbie Phillips Ext 5603