DELEGATED REPORT

Recommendation Made: 20 April 2011

Reference:- 11/00165/TPO **Parish:- Burbage Parish Council**

Applicant:- Mr Russell Towlson
169 Coventry Road
Burbage
Hinckley
Leicestershire

Location:- 169 Coventry Road Burbage Hinckley Leicestershire LE10 2HW

Proposal:- WORKS TO OAK TREE

Introduction:-

This application seeks approval to carry out works to a protected Oak tree located within the curtilage of No. 169 Coventry Road, Burbage. The tree is covered under the Land at Coventry Road, Burbage Tree Preservation Order 2000 and forms part of a group of protected trees. The Oak tree that this application relates to is situated on the North-west (front) boundary, to the corner of the site, adjacent to the highway.

The proposal consists of the removal of lower branches to improve the visibility splay at the entrance to the driveway of No. 169 and Crown shaping. The tree is a healthy and prominent specimen located adjacent to a main road where it is visible from the wider surrounding area.

History:-

None.

Consultations:-

Burbage Parish Council have no objections to the application.

The Borough Council's Arboriculturalist has responded with suggestions that a suitable proposal for works to the tree would be to Crown lift by removal of lower branches to 3m in height over the verge and 4.5m in height over the drive. Crown shaping is not necessary.

Development Plan Policies:-

No Policies.

Appraisal:-

The main considerations in the determination of this application are the health and visual appearance of the protected Oak tree.

The tree is a large and healthy specimen located in a prominent location adjacent to a main road in and out of Burbage. The quality of the tree is good in terms of it's shape and appearance. The lower branches do; however, overhang the adjacent verge/footpath and restrict access and visibility to the driveway of No. 169 Coventry Road. Due to the form of the tree it is considered that to lift the Crown by removal of these lower minor branches to a height of 3m over the verge and 4.5m over the driveway would not harm the shape, health or visual amenity of the tree. However the reshaping of the Crown would be unnecessary and could potentially be detrimental to the appearance of the tree. The Crown lifting would need to be carried out in accordance with British Standards to ensure the health and amenity of the protected tree are not compromised.

This application is therefore 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 lifting of the Oak tree by the removal of the lower branches to a height of 3m over the verge and 4.5m over the driveway only. This consent does not give permission to carry out any Crown shaping.

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

Reasons :-

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

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.

Contact Officer:- Debbie Phillips Ext 5603