DELEGATED REPORT

Recommendation Made: 15 August 2011

Reference:- 11/00481/TPO **Parish:- Market Bosworth Parish Council**

Applicant:- Mr B Wilson
The Old Rectory
8 Rectory Lane
Market Bosworth
Nuneaton

Location:- The Old Rectory 8 Rectory Lane Market Bosworth Nuneaton Leicestershire

Proposal:- REMOVAL OF HORSECHESTNUT TREE

Introduction:-

This application seeks approval for the removal of one Horsechestnut tree within the grounds of The Rectory, Rectory Lane, Market Bosworth. The tree is located to the rear of the site, on the eastern boundary, overhanging No. 14 Cedar Drive. The tree is covered by the Market Bosworth (The Rectory, Rectory Lane) Tree Preservation Order 1983 and lies within the Market Bosworth Conservation Area.

The justification for the removal of the tree is due to the presence of decay within the Crown. Stating that, the decay has become the perfect environment for the growth of Honey Fungus. Evidence of the fungus in the form of rhizomorph is present around the area of decay. There are also numerous areas of Bleeding Canker present all over the tree, which present a major stress factor in the health and safety of the tree.

Consultations:-

Market Bosworth Parish Council has no objections to the removal of the tree but have requested a replacement.

The Borough Council's Arboriculturalist has responded commenting that although the presence of Honey fungus rhizomorphs, mycelium or bleeding canker are not necessarily reason to remove a tree, the stem decay and upper crown dieback are in need of remedial works. Crown reduction would make the tree safe in the short term but to ensure the continuation of healthy tree cover, it is advisable to fell and replant in the same area. Planting another Horsechestnut is not advisable, suitable replacement would be either 1 No. standard (8-10cm stem circ.) Tilia x euchlora (Caucasian or clean leaved lime) or Tilia cordata "Greenspire" (small leaved lime).

At the time of writing the report no response has been received from:-
Ward Members

Development Plan Policies:-

No Policies.

Appraisal:-

The main considerations in the determination of this application are the health and safety of the tree and the visual amenity of the surrounding area.

It is evident in the appearance and health of the tree that there is the presence of Honey fungus and bleeding canker. Although this is not an issue that necessitates removal at this stage in the tree's development, remedial work should be carried out to reduce the strain on the failing Crown. However this would only be a short term measure and therefore it is considered that to ensure the continuation of healthy tree cover on the site, the tree should be removed and a more suitable specimen replanted in the same area.

The application is therefore 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 removal of the Horsechestnut tree marked T1 on the submitted plan only.

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

3 The Horsechesnut tree shall be removed and replaced with 1 No. standard (8-10cm stem circ.) Tilia x euchlora (Caucasian or clean leaved lime) or Tilia cordata "Greenspire" (small leaved lime) during the next planting season following the removal.

Reasons :-

1 To ensure that the appearance of the surrounding area is maintained.

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

3 To maintain the appearance of the surrounding area.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 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