DELEGATED REPORT

Recommendation Made: 22 September 2011

Reference:- 11/00663/TPOCA **Parish:- Hinckley**

Applicant:- Mr Kenneth Kennerson
5 Shakespeare Drive
Hinckley
Leicestershire
LE10 0BG

Location:- 5 Shakespeare Drive Hinckley Leicestershire LE10 0BG

Proposal:- REMOVAL OF SILVER BIRCH

Introduction:-

This application seeks approval for the removal of a Silver Birch tree located on the north east corner within the curtilage of No. 5 Shakespeare Drive, Hinckley. The tree is not protected under a Preservation Order but lies within the Hollycroft Conservation Area.

The tree is very prominent within the streetscene and forms part of a vast variety of tree cover along Shakespeare Drive. The tree is fairly large for its location, close to the front boundary wall and neighbouring fence. The tree has a slight lean towards the north east and is showing early signs of root lift, damaging the tarmac driveway that surrounds the base of the tree. A professional report has been provided in support of the application, confirming that disease has set in to the base of the tree and is starting to rot it away. Should the application be approved, the applicant has agreed to a replacement.

Consultations:-

No response has been received from Ward Members.

Development Plan Policies:-

No Policies.

Appraisal:-

The main consideration in the determination of this application is whether the health and visual amenity of the tree warrants its protection in the form of a Tree Preservation Order.

The tree is an attractive specimen that appears to have a well formed Crown and appearance. It is a large tree and is prominent within the streetscene due to its location. It does, however, form part of a large variety of street trees that run along Shakespeare Drive offering plenty of cover and visual amenity.

The tree, although a fair specimen in appearance, has contracted a disease that is rotting away the base of the tree. The tree is leaning in a north east direction, towards the neighbouring property and the adjacent footpath. The tree may not be under imminent risk of failure, but it is considered that due to the health of the tree, it would not be in line with best practice to recommend a Tree Preservation Order.

The application is therefore recommended for approval.

Recommendation:- No objection to work to tree(s) within Conservation Area subject to the following conditions:-

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