

Recommendation: **GRANT TPO CONSENT**

00/56449/003 - Fell a Sycamore tree on the boundary of 11 and 13 Frogmore Lane within Woodland W1 subject to TPO1252., PERM,21/12/2000

98/56449/002 - Removal of two branches of an Oak tree to reduce the north east limb by 5 metres
which overhangs into 9 Ash Copse. The Oak tree is within Woodland W1 subject to TPO 1252., PERM,21/10/1998

91/56449/000 - Raise crown to 4m, reduce and reshape crown by 20% max. and remove lower lateral
to NE side on Sycamore covered by TPO 1252, PERM,09/09/1991

04/56449/004 - Application to prune to boundary, trees adjacent to rear boundary of 102 Lovedean Lane, subject of Woodland order W1 1252., PERM,11/10/2004

05/56449/005 - Application to remove a limb on the northern sector adjacent to a telephone line of a Sycamore tree, part of Woodland Order W1 subject of TPO 1252., PERM,14/10/2005

05/56449/006 - Application for crown reduction, to maintain a distance of 2 metres from the boundary with 7 Ash Copse, a Walnut, an Ash and a Hazel tree all within W1 of TPO 1252., PERM,11/11/2005

GEN/10/00320 - Possibility of redevelopment of land leading into Ash Copse site., UNK,

GEN/12/00102 - Proposed residential development., UNK,

GEN/12/00809 - Concerns raised regarding possible works on trees at 13 Frogmore Lane., , 10/08/2012 09:07:27

GEN/12/00940 - Concerns raised regarding possible works on trees at 13 Frogmore Lane., , 19/09/2012 11:41:29

GEN/14/00206 - Large dell in property where there are trees with TPOs and a lot of wildlife - concern with the amount of clearing that is occurring in the dell, including trees. , UNK,

APP/14/00573 - Erection of single storey front, side and rear extensions, erection of two storey side and rear extension following removal of existing garage; with associated internal alterations. , REF,01/08/2014

APP/14/00942 - Erection of single storey side and rear extensions, erection of two storey side and front extension following removal of existing garage; with associated internal alterations., PERM,11/11/2014 08:56:37

APP/15/00479 - Application for non-material change to Planning Permission

APP/14/00942 relating to increase in footprint of ground floor dining/kitchen area (rear

side area of single storey extension) and add a hipped roof over., REF,28/05/2015
 APP/15/00986 - Application for Non-material changes to Planning Permission
 APP/14/00942 relating to changes to ground floor store, and changes to two storey
 side extension., PERM,23/09/2015

3 **Proposal**

Pollard 1No. Oak, 2.5m from ground level. Subject to Woodland Order TPO 1252.

5 **Statutory and Non Statutory Consultations**

6 **Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 4

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
We have a few issues with pollarding an oak tree, probably 50-100 years old which is not diseased or endangering human life or permanent residential structures. Surely a protected oak tree is more valuable than a small greenhouse which is easier to move or replace and less expensive ! Pollarding to 2.5 metres is criminal.	Comments noted
I would make observation upon this application. i) It is required by the application process for the applicant to provide arboricultural advice related to these works and similarly to provide evidence of damage to property to substantiate the need for the works. There does not appear to be such evidence appended to the application. ii) There is, further, no description of any advice of an LPA officer or the Arboricultural Officer of the LA on the extent and nature of the works and as	Comments noted

a consequence there is then no description of any alternative approved works. This is of particular concern in connection with the alleged issue of overhang of a neighbour's greenhouse where an alternate opinion may propose lesser works so as to permit the continued benefit to the neighbourhood of this beautiful tree. It is further unclear whether the works are proposed to address the alleged lean of the tree, or to provide light to the greenhouse.

iii) By virtue of construction works by others in the locality there may already have been disturbance of the aquifer in the area. It is important to avoid prejudicing the Aquifer Protection Zone and the Source Protection Zone at the copse in particular and, for public health protection, it is expected that there would be consultation with the Water Authority to ensure safety & protection of public water supplies.

iv) Associated with the existing TPOs at the copse it is important to protect the wildlife habitat, and interference with this substantial and established Quercus spp risks prejudicing that habitat.

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- Whether the degree of pruning works requested would undermine the amenity value of these trees and whether this could also be harmful to their ongoing health and vitality.

7.2 My inspection related specifically to assessing the proposed works rather than generally inspecting the tree's health and condition in any great detail. I visually inspected the tree from ground level and the following report deals with the relevant issues that have been raised on site, in the application form and from my site observations.

7.3 This application to undertake works to a tree subject to a Tree Preservation Order relates to the pollarding of one small Oak tree, approximately 9m in height on a single stem, situated on the edge of a Woodland Order in the ownership of 13 Frogmore Lane but impacting on the dwelling to the west 100 Lovedean Lane. The tree is on the boundary of this property's rear garden and is leaning over a greenhouse in the ownership of 100 Lovedean Lane; the weight of the foliage of its small crown leans

over the roof of the greenhouse. It is proposed to pollard this tree so removing the hazard to the neighbouring property. As far as it is reasonable to see the tree is in fair condition and has some local importance against the backdrop of the woodland to the east. Two representations have been received; one objection on the grounds that the tree is of some age and pollarding not an appropriate course of action. The second neutral representation refers to more information being supplied which is not a requirement in this case and makes reference to water and biodiversity issues which is not a consideration in this process. The tree is estimated to be 30-40 years old. As all the weight of the small crown hangs low over the greenhouse roof, pollarding is appropriate to remove the hazard and provide a stable framework for the regeneration of the crown. The works are considered not to be detrimental to the integrity of the woodland TPO.

8 **Conclusion**

Permit

9 **RECOMMENDATION:**

That the Head of Neighbourhood Support be authorised to **GRANT TPO CONSENT** for application APP/18/00553 subject to the following conditions

- 1 The tree works for which consent is hereby granted shall not be carried out otherwise than in full accordance with all relevant content of BS 3998 (2010).
Reason: In the interests of tree health and safety.
- 2 The tree works for which consent is hereby granted shall be carried out and completed no later than 24/07/19.
Reason: To control the timing of the works