

Committee Report

Application No:	DC/17/01171/TPO
Case Officer	Chris Redfern
Date Application Valid	18 October 2017
Applicant	Mr Charles Simpson
Site:	Runhead Lodge River View Crookhill Ryton NE40 3HL
Ward:	Ryton Crookhill And Stella
Proposal:	Tree works on land adjacent to Runhead Lodge Crookhill Ryton
Recommendation:	Grant Permission
Application Type	Tree Preservation Order Application

1.0 The Application:

- 1.1 There is a row of Beech trees that have historically been planted as a hedge which are highly prominent and make a significant contribution to the amenity of the wider area. The trees are situated on the edge of an agricultural field that bounds a public right of way close to a number of dwellings.
- 1.2 The trees are protected by Tree Preservation Order ref number 17. The order consists of individual trees, groups of trees and areas of trees. The trees relevant to this application are within Area 1.
- 1.3 **DESCRIPTION OF THE PROPOSAL**
The applicant proposes to fell Beech trees T1, T2, T3, T4, T6, T7, T9, T10, and T11 as well as Holly tree T5.
Beech trees T13, T14, T15, T16 and T17 are to be thinned by 30%.
Beech trees T8 and T12 are to have their easterly overhang significantly reduced.
- 1.4 The reason for the works is to manage the trees because the line of Beech trees has grown out and consequently has grown with many defects.
- 1.5 The applicant is proposing to replace the trees with a more appropriate field boundary of mixed native hedging.
- 1.6 **RELEVANT PLANNING HISTORY**
DC/05/00448/TPO Pruning of 7 Beech trees granted 19.04.05
DC/05/01985/TPO Fell 20 dead and diseased Beech trees and the removal of low Holly trees grant 12.01.06

2.0 Consultation Responses

None

3.0 Representations:

- 3.1 Consultation letters to nearby properties and a site notice has been posted. Five letters of objection and one letter of support have been received regarding the proposal.
- 3.2 The main points submitted in support of the proposal are summarised below:
- The trees are just an overgrown hedge that needs drastic reduction to restore natural light.
- 3.3 The main points submitted in objection to the proposal are summarised below:
- The land owner has missed the opportunity to have the trees, managed they are now mature trees in a conservation area with protection.
 - There is only one tree that is leaning that would warrant removal for safety reasons.
 - This number of trees and the contribution they make to the environment should not be removed as they would take too long to replace.
 - The loss of trees when maintaining the beauty should be paramount. Maintenance over cutting always.
 - I do not object to the trees that affect Runhead Lodge as they are surrounded by them however I do not agree with removal of all of the trees.
 - It doesn't seem right that some people have had to pay thousands to have works done to the trees.
 - The landowner has chosen the cheapest option to manage the trees for his own convenience.
 - The trees are a haven for wildlife.

4.0 Policies:

NPPF National Planning Policy Framework

CS18 Green Infrastructure/Natural Environment

ENV44 Wood/Tree/Hedge Protection/Enhancement

5.0 Assessment of the Proposal:

- 5.1 When considering the applications for works to protected trees the assessment is made on the basis of the amenity value of the trees and

the likely impact of the proposal on the amenity of the area. In the light of this assessment it is then necessary to consider whether or not the proposal is justified, having regard to the reasons put forward in support of the works by the applicant. In general terms the higher the amenity value of the trees and the greater the impact of the application on the amenity of the area, the stronger the reasons need to be for consent to be granted.

- 5.2 In this instance the amenity value of the trees are high, therefore the reasons must be justified, or the works must not have a long term detrimental effect to the health or amenity provided by the trees.

5.3 PROPOSAL TREE REMOVALS

Fell Beech trees T1, T2, T3, T4, T6, T7, T9, T10 and T11 and Holly tree T5 to ground level.

5.4 REASON FOR THE PROPOSAL

The trees have grown out from a hedge and as a result are deformed to such an extent that they are in a hazardous condition

5.5 APPRAISAL OF THE PROPOSED WORKS

The trees grow within a loosely formed avenue along a public right of way which runs alongside a field boundary. The trees are very visible in the landscape and are therefore of high amenity value.

Unfortunately they were originally planted as a hedge and therefore over the years have been severely pruned which has produced a number of form defects. At some point historically the hedge fell into neglect which has allowed the hedge to grow into a line of trees. This has led to an unnaturally weak spindly growth pattern which has developed a number of serious growth defects. There are significant inclusions throughout the canopies of the trees, each of which has a high potential for catastrophic limb failure. Inclusions or included bark is where you have bark to bark contact at a branch union. As a result the strength of the structure can be seriously compromised. A very high proportion of branch failures are as a result of unions that contain included bark. The proportion is even higher for the species Beech and therefore this can be considered a high risk of failure. This is a serious concern considering the location of the trees close to property which is likely to be occupied for extended periods of time and the public footpath which appears to be in frequent use. It is concluded that in their current state the trees are a hazard to persons and property.

- 5.6 It would be possible to reduce the size of the canopy in order to reduce the potential hazard of the trees however the level of reduction necessary would be so extreme that the trees would be unable to reasonably recover. This is based on the Councils Arboricultural officer's experience of the species and the industry standard recommendations in the British Standard for Tree Works 2010 where it

recommends that the species characteristics should be considered before pruning can be considered a viable option.

- 5.7 The applicant has proposed to plant a new field boundary in the form of a classic mixed native hedge. The Councils Arboricultural Officer suggests that this could be supported with a number of replacement hedgerow trees planted at appropriate spacing to provide a sustainable replacement to the visual amenity and habitat amenity that would be lost in the short term.

5.8 PROPOSAL TREE PRUNING

Crown lift and crown thin by up to 30% Beech trees T13, T14, T15, T16 and T17.

- 5.9 Significantly reduce crown on the eastern side of Beech trees T8 and T12.

- 5.10 The reason for the works is to control the size of the canopies as they have developed poor growth habits.

These are the better trees within the old hedgerow as they have a better growth pattern with less growth defects. It is therefore considered that they can be retained and managed through appropriate pruning. It is considered that the proposed pruning should not have a detrimental effect on the long term health and amenity provided by the trees. The proposed works should extend the potential safe useful lifespan of the trees for the short to medium term.

5.11 OTHER MATTERS

Although it would have been better if the hedge had been maintained as a hedge in its early years, it doesn't change the case that the trees now need appropriate management. No action is not considered a viable option given that the trees could potentially damage persons and property.

- 5.12 When considering whether a tree is a hazard to persons and properties there are many factors to take into consideration not just whether the tree is leaning. The structural integrity is a major factor as is the proximity of the trees to persons and property. In this instance the structural integrity and the proximity to the footpath and Runhead House is significant.

- 5.13 Although the beauty and visual amenity provided by the trees is an important consideration on balance the safety of persons and property must take priority.

- 5.14 The Council does not have any information regarding the cost of the remedial works in question. However, the cost of the remedial works is not something that is considered when making a decision.

- 5.15 The Council agree that the trees provide a good habitat for wildlife however the proposed replacement planting will in a short time provide a very good replacement for the habitat that will be lost.

6.0 CONCLUSION

- 6.1 The amenity value of the trees is not in question however the trees can only be retained providing that the Council can be reasonably sure that the trees do not present a hazard to persons and property. It is considered that some of the trees are a hazard to persons and property. Therefore on balance and taking all of the relevant issues into account above it is recommended that the application to fell the Beech trees T1, T2, T3, T4, T6, T7, T9,,T11 and Holly tree T5 and the pruning of Beech trees T8, and T12, T13, T14, T15, T16 and T17 should be approved subject to a condition restricting the extent of the pruning, provide replacement tree planting and to ensure that the works are carried out in accordance with British standard BS 3998 Recommendations for Tree Works.

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1

The tree work hereby approved shall be completed within 2 years from the date of this consent.

Reason

To enable the work proposals to be reviewed in light of any future changes in the condition of the tree(s) concerned in accordance with policy ENV44 of the Unitary Development Plan, NPPF - National Planning Policy Framework and policy CS18 of the CSUCP

2

The tree work hereby approved shall not exceed the following limits:

Beech trees T1, T2, T3, T4, T6, T7, T9, T10, and T11 fell to ground level only

Holly tree T5 fell to ground level

Beech trees T13, T14, T15, T16 and T17 crown thin by no more than 15% and crown lift the canopy to a height no more than one third of the height of the tree.

Beech trees T8 and T12 reduce the eastern canopy so that it balances with the western canopy only. The reduction must not unbalance the canopy.

Reason

In order to maintain the health and visual amenity of the tree(s) concerned in the interests of the visual amenity of the area and in accordance with policy ENV44 of the Unitary Development Plan, NPPF - National Planning Policy Framework and policy CS18 of the CSUCP

3

Before the removal of Beech trees T1, T2, T3, T4, T6, T7, T9, T10, and T11 identified in the application can take place, details of a replacement tree-planting scheme, which shall include numbers, location, size and species, shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to provide continued tree cover, in the interests of the visual amenity of the area and in accordance with policy ENV44 of the Unitary Development Plan, NPPF - National Planning Policy Framework and CS18 - Green Infrastructure/Natural Environment

4

The replacement tree-planting scheme approved under condition 3 on the decision notice shall be completed in full accordance with the approved details within six months of the date of the completion of the felling operation or within the next available planting season whichever is the sooner. The Local Planning Authority shall be notified in writing of the date of replanting within seven days of that date.

Reason

In order to provide continued tree cover, in the interests of the visual amenity of the area and in accordance with policy ENV44 of the Unitary Development Plan, NPPF - National Planning Policy Framework and CS18 - Green Infrastructure/Natural Environment

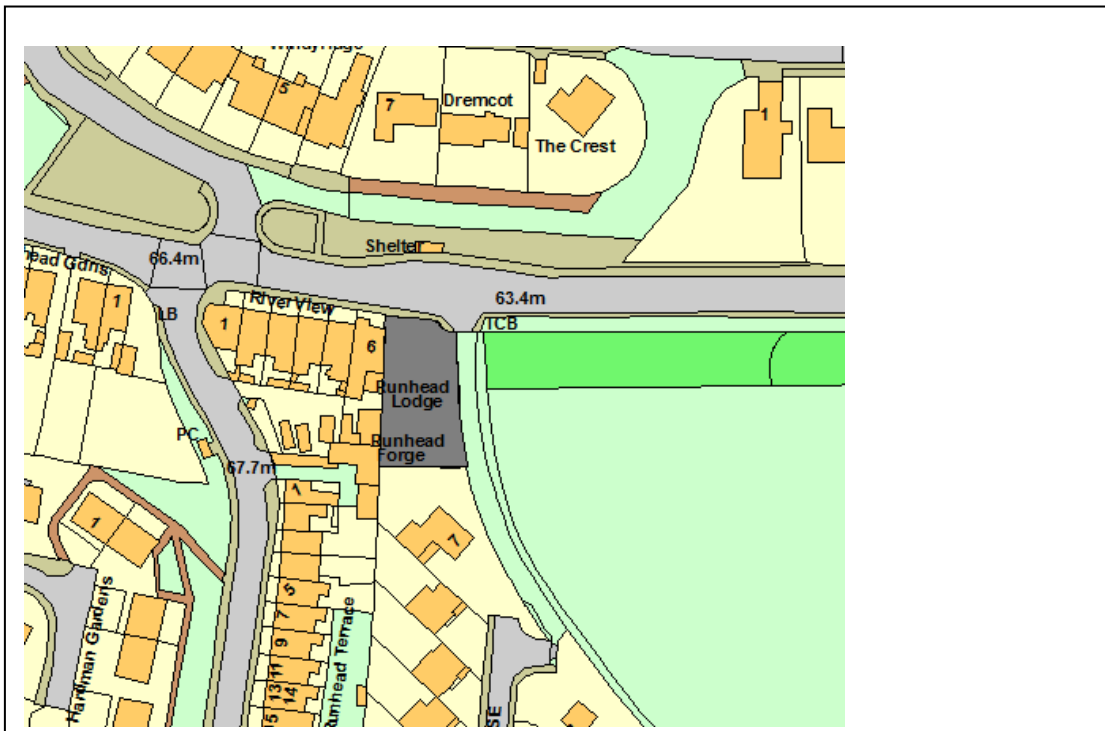
5

The tree works hereby approved shall be carried out wholly in accordance with BS 3998 (2010) 'British Standard Recommendations for Tree Work'.

Reason

In order to maintain the health and amenity of the tree(s) concerned in the interests of the visual amenity of the area and

in accordance with policy ENV44 of the Unitary Development Plan.



This map is based upon Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Gateshead Council. Licence Number LA07618X