

Item Number: 11
Application No: 21/00136/TPO
Parish: Habton Parish Council
Appn. Type: Tree Preservation Order
Applicant: Mrs Diana Andrews
Proposal: Reduce crown by 10% on each beech tree in G2 (T3360 & T3361) and remove dead wood within the trees within TPO 90/1986 [as amended 05.03.2021]
Location: 2 The Beeches Kirby Misperton Lane Great Habton Malton North Yorkshire YO17 6RS

Registration Date: 4 February 2021
8/13 Wk Expiry Date: 1 April 2021
Overall Expiry Date: 5 March 2021
Case Officer: Matthew Stubbings **Ext:** 43292

CONSULTATIONS:

Habton Parish Council: No views received to date

Representations: None

THE DEVELOPMENT PLAN POLICIES:

Policy SP13 Landscapes
Policy SP14 Biodiversity
Ryedale Plan Local Plan Sites Document and Policies Map

STANDARD MATERIAL CONSIDERATIONS:

The National Planning Policy Framework (2019)
The National Planning Practice Guide
The Town and Country Planning (Tree Preservation)(England) Regulations 2012
Policy ENV6 The Yorkshire and Humber Plan: Regional Spatial Strategy to 2026

PROPOSAL:

Permission is sought to “reduce crown by 10% on each beech tree in G2 (T3360 & T3361) and remove dead wood within the trees within TPO 90/1986 [as amended 05.03.2021]”

SITE:

The two substantial beech trees are in the front garden of No.2 The Beeches to the east of Manor Farm, and are within a group of other mature beeches and sycamores that stand on the frontages of 1-5 The Beeches, Great Habton.

HISTORY:

12/00911/TPO Application to crown reduce by 5% 2 no. beech within G2 of TPO no. 90/1986 – WITHDRAWN

05/00744/TPO To crown clean and crown reduce by 10% 2 no. beech within G2 of TPO No. 90/1986 - APPROVED

CONSULTATIONS:

No objections to these proposals have been received.

APPRAISAL:

The main considerations in determining this application are:-

- Would the proposed pruning work be acceptable in terms of the amenity value of the trees?; and
- Would the proposal have an adverse impact on the long-term health of the trees?

The intention of the proposal is to prevent a potential nuisance as the outer limbs further elongate and may potentially cause damage to the property's roof in windy conditions, and to remove dead limbs to prevent them from becoming detached under the same weather conditions. As these trees can be described as being in the category of 'mature/over-mature' only light pruning would be considered to be acceptable to sustain their health. The applicant does not require prior consent from the local authority to remove dead wood, however for transparency and completeness the proposal still includes reference to removal of dead wood.

Permission was originally sought to "Reduce crown by 10% on each beech tree in G2 (3360 & 3361), remove dead wood and a large branch of 3361 hanging over the property" however the removal of the large branch growing towards the property would have resulted in an unacceptable large wound (around 35cm diameter) which would have been detrimental to the health of the tree. The applicant thus amended the proposal to exclude the large branch removal which is in keeping with arboricultural best practice.

The trees have reasonable health and form and no obvious visible defects. No fungal fruiting bodies were seen. The prescribed 10% crown reduction is not intended to reduce the overall dimensions of the tree by that amount, but merely to shorten the offending limbs by that amount. Since the tree had approved crown reduction work carried out in 2005 it has recovered well. It is considered that the proposal will remove regrowth and will help restore symmetry to the overall appearance of the trees without affecting their health and amenity value. The 10% reduction proposed in this application is slightly more than the 5% approved in 2005 therefore it is recommended that maximum wound size should not exceed 45mm diameter to ensure that work does not create excessively large wounds.

CONCLUSION

The proposed work is not expected to be detrimental to the health or amenity of the trees. I therefore recommend that the application is approved in accordance with the proposed tree work specifications with the identified conditions it is considered that the works are acceptable in relation to prudent tree management.

RECOMMENDATION:

- 1 Pruning cuts for 10% reduction of branches from the outer extent of the crown should be taken at suitable growing points and no wound should exceed [45]mm in diameter.

Reason: Reduction condition - to maintain the shape and character of the tree and to adhere to good arboricultural practice.

- 2 Prior consent from the local authority is not required to remove dead wood.

- 3 All works to be undertaken in accordance with British Standards BS 3998:2010 (Tree Works) by a suitably qualified and insured arborist.

Reason: Tree Work Condition - To comply with good practice and ensure that the work is undertaken in a competent manner

- 4 The works for which consent is hereby granted shall be completed before the expiration of two years from the date of this decision. If works are not completed within that timeframe then a new application for tree works will need to be submitted to the Planning Authority.

Reason: 2-Years Timescale - to reduce future uncertainty with regards to authorised tree work and to limit the time during which the local authority would need to monitor progress.

INFORMATIVE(S)

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 - i. The applicant is advised that trees of this structure and age may contain roosting places for bats and nesting sites for birds. Trees containing rot holes, cracks and splits, crevices, loose bark and hollow branches are amongst some of the favoured sites for bat roosting.
 - ii. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under section 41/42 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as Amended) and applied to whoever carried out the work. Contact details: Natural England, 4th Floor, Foss House, King Pool, 1- 2 Peasholme Green, York, YO1 7PX Tel: 0300 060 3900
 - iii. For general bat advice contact Bat Conservation Trust, 0345 1300 228