

COMMITTEE REPORT

Committee: East Area
Date: 26 June 2008
Ward: Strensall
Parish: Strensall And Towthorpe
Parish Council

Reference: 08/01112/TPO
Application at: Bonneycroft, 22 Princess Road Strensall York
For: Various works to trees subject to Tree Preservation Order TPO CYC 53 including fell Sycamore (T3), Ash (T4), Hawthorn (T12), Laburnum x 2 (in G1), Picea (in G2), Birch, Oak, Chestnut, Apples (G3), Birch (in G4), Cherry trees (G5), Hawthorn (G7 and in G6); crown lift Holly (G2), Holly and Oak (G4) and Oaks T8-T11.
By: Mr Adam Ward
Application Type: TPO Application
Target Date: 03 July 2008

Policies:

The application is to carry out various works to trees that are subject to a tree preservation order (TPO) ref: TPO CYC 53 at Bonneycroft, 22 Princess Road, Strensall. The proposals include dead-wooding, crown cleaning, crown lifting and felling. Approximately 18 trees out of the 38 or more protected trees are proposed for removal (two of which are exempt from requiring consent from the local authority because they are dead).

The options are to either refuse the application in total; approve the application in total; or allow some of the works and refuse others as per the recommendation; or decide on a variation of the recommendation

Bonneycroft is a bungalow set within grounds of approximately 1.3 acres. Apparently it was previously used as a market garden, but has now stood derelict for many years. The site is bounded by residential properties to the north and west and a main railway line to the south and residential properties on the opposite side.

The property is undesignated land within Strensall village envelope.

A tree preservation order was served on the majority of trees within the site in April 1999; the reasons for which are given as follows within the TPO:

'Further to a request from the Parish Council to have the trees protected due to current planning negotiations for redevelopment of the site for housing. The trees contribute to the visual amenity along Princess Road. They effectively screen both the noise and sight of the railway track from properties on Orchard Way and Princess Road. It is considered appropriate to make a Tree Preservation Order to ensure that the trees are retained and safeguarded, and their shape, form, character and welfare are taken into consideration

prior to the development, during work and thereafter.'

An outline planning application was submitted in March 2005 (ref: 05/00677/OUT) for outline consent for erection of four detached dwellings following demolition of the bungalow. The application was withdrawn before determination.

Waterman CPM Ltd carried out an arboricultural appraisal of the trees for Ravenscourt Estates Ltd, to assess the condition and relative merit of the tree stock on land proposed for development. This was submitted with the application on behalf of the land owner by Barton Willmore. There are no current planning applications submitted for this site, other than this TPO application, but there is an intention to submit a planning application for outline consent for development of the site in the near future. The survey was carried out in September 2007. The tree survey methodology followed the recommendations set out in BS5837:2005 Trees in Relation to Construction. The reference numbers provided in the resulting tree survey are different to those within the TPO, although these have been referred to in the survey where they are obvious.

The following extracts from the tree report provide a summary of the most relevant findings: Of the 36 trees listed in the TPO several were found to be dead or badly storm damaged. The trees in the rear garden were pre-dominantly self-seeded and poorly maintained. Many were growing too close together resulting in competition for light and nutrition resulting in their growth being suppressed. Collectively the tree stock fronting onto Princess Road contributes a useful visual amenity by screening the railway line and contributing to the existing front garden tree planting on adjacent properties.

Representations:

It is clear from the representations made, that the main concerns lie with aspects relating to the potential development of the site. This application is purely to seek permission to carry out works to trees and therefore has to be determined on this basis. Therefore such representations that either do not relate directly to this application or are based on speculation have been omitted from this report.

A letter of objection was received from Philip and Wendy Thorpe of 29 Princess Road, Strensall. The most pertinent paragraph being as follows: 'It is important that as many trees as possible are retained on this site because they not only contribute to the visual amenity along Princess Road, they also screen both the noise and sight of the railway line from properties on both Orchard Way and Princess Road. The trees also help to soak up Carbon Emission, and hence help protect the planet from Global warming, an important consideration today.'

In total there were a further 17 signatories to copies of this letter, from two addresses on Princess Road, four from Orchard Way, and five from Glebe Close all of which face or back on to the site. Some included additional comments. A further six individual representations were received from Glebe Close, Moor Lane, Orchard Way and Princess Road. The following additional pertinent points were made for consideration:

Concern what effect removing trees will have on the water table which is very high.

Trees also add to amenity and screen railway from 3-9 Glebe Close.

The trees have lacked maintenance and management for many years and is now required. Accept dead trees need to go.

The original reason for the serving of the TPO is still relevant today. These are mostly established trees so replanting others will not have the same effect. Trees provide privacy (screening). Concern of noise from cutting down trees. Concern for habitat loss.

The beautiful mature trees on Princess Road help to maintain its character and enhance the environment.

Only two of the representations made reference to specific trees, namely objections to removing the Oak and Horse chestnut within G3, to removing the full extent of G5, G6 and G7, and to felling Ash T4 and Hawthorn T12.

Officer Report:

The TPO was served in 1999. Any trees that were excluded at the time of serving the order and/or have grown since this time are not included in the TPO and therefore works to these trees would not require consent from the local authority.

Removal of dead trees, even if they are subject to a TPO (clearly they were alive when the TPO was served!), does not require consent from the Local Authority. Nonetheless there is a duty on the land owner to replace the removed tree.

Similarly, where consent is granted to remove a living TPO tree, the planting of a replacement tree can be imposed as a condition of consent, including specifying the size, species and location of the replacement tree.

The majority of the recommended work within the tree report is considered to be good arboricultural management. Some of the proposed fellings are not essential for health and safety reasons at this time, but are deemed to be acceptable due to, for example, their poor form, provided replacements are secured under condition; others are considered unnecessary.

The trees' main functions are those of amenity and screening. The trees along the Princess Road frontage are the most prominent, and have high public amenity value. Other trees provide a screen between the surrounding residential properties and the site. The trees along the railway boundary help screen the trains and are also visible from Moor Lane.

There are a high number of early mature/mature Oak trees on the site. Oak has a high water demand. Only one small Oak is proposed for removal.

All of the crown cleaning and removing of dead wood is in accordance with good arboricultural management. Crown cleaning is the removal of dead, dying, diseased, broken, crowded, weakly attached and low-vigour branches as well as climbing plants (e.g. ivy).

Within the arboricultural appraisal, the trees have been allocated category grades from A

(the best) to C, plus R (remove) to reflect their arboricultural value in relation to their individual or group amenity value, their condition and longevity. All of those proposed for felling are category C or R. For the purposes of determining the application, the report refers only to those trees that are proposed for felling and subject to the TPO, using the reference numbers given in the applicant's tree survey.

T3 Sycamore and T4 Ash are likely to have been self-sown. Both species are prolific seeders and fast growing species. Some of York's high amenity trees are individual self-sown Sycamores or Ashes, that have grown up in a suitable, open location where they have realised their full, correct form without creating conflict. In this instance the Sycamore is a poor one-sided specimen. The Ash is multi-stemmed which will be structurally problematic in the future. They are not un-common species. The two specimens here, although already quite sizeable, are only semi-mature. The value of the character and screening that trees in this location afford is recognised. Therefore replacements with trees of a good form and suitable species would be appropriate.

T5 Dead tree and T7 virtually dead Horse chestnut - removal does not require consent from the local authority, but under TPO legislation the landowner has a duty to replace them.

T12 Hawthorn The application requests felling of this tree, but the tree report suggests retention in the short term, with immediate crown cleaning. There are no arboricultural reasons to fell the tree at this time. It provides an attractive edge to the railway line which can be viewed from Moor Lane and properties on the opposite of the line.

G1 The application seeks to fell both Laburnums. G1 and G2 form dense groups of trees, which has resulted in slightly misshapen crowns. Nonetheless the overall effect from the public realm of Princess Road is an attractive one. The smaller Laburnum has a thin crown and its loss would be of little consequence.

G2 The Ash is a native, deciduous species; the Picea is not. The application seeks to retain the Ash in the short term and review it again later. It is a multi-stemmed tree, and will therefore never be a good specimen tree. The Picea though an alien species is of a reasonable form and may have better long term potential.

G3 The application seeks to remove the whole group consisting of one Birch, two Horse chestnuts (one dead), one Oak and an Apple. All of the oaks within the site except the one in G3 are proposed for retention. Many still have a significant degree of growing to do, therefore their visual impact will increase over time. The two Horse chestnuts have grown together. The live one has phytopthera; it is of very poor form; it has grown through and included various metal artefacts within its trunk and main limbs, which will render it weak. The Oak appears to have been topped in the past; it is suppressed and completely one sided; it would never develop into a good specimen. The Birch is mature, possibly over-mature, but it is of reasonable form and although it is displaying a minor amount of dead wood, its condition is fair and its removal does not appear to be necessary on arboricultural grounds. The apple is also old but is also not in need felling. It is in reasonable condition and of reasonable shape and form for its species.

G4 contains a number of Oaks that have a high public amenity value on Princess Road. These are to be retained. The Silver birch (G4b) at the end of the group is leaning over the

roadway and is becoming smothered by the neighbouring Oak - replicating nature's succession from pioneer species to woodland canopy species.

The Sycamore (G4b) forms part of the under-storey proposed for removal. It is twin-stemmed with tight included bark and of poor structural form. The neighbouring Oaks are of much higher, long-term value.

G5 group of cherries. The application seeks to fell the entire group. The arboricultural appraisal suggests removing leaning and dead trees and reviewing the remaining trees. The long term future of these trees is unknown. The canopies of the better specimens are quite thin and there are some dead trees, which suggests that the soil conditions are not favourable. The wet ground conditions could be providing favourable conditions for the harbouring and spreading of detrimental pathogens such as honey fungus and phytophthora to which Cherries are susceptible. Nonetheless there are one or two reasonable specimens, therefore the suggestion to remove the leaning/suppressed and dead trees, whilst retaining the others seems agreeable.

G6 The appraisal and application seeks to remove all of G6, but leave T6 Sycamore. There are a number of dead/dying and suppressed trees; with the removal of these some Hawthorn, and possibly Prunus could be retained. It is possible that the bramble that established over years of neglect (and removed in the last year or two) caused some suppression of lower branches.

G7 consists of three mature/over mature Hawthorns. The middle one (G7b) is virtually dead. One of them has a slight lean, but this does not appear to be problematic. Two of the Hawthorns remain attractive contributions to the perimeter vegetation.

Conclusions:

It is felt that some of the tree felling is acceptable, but some is unnecessary at this time. The removal of some of the trees presents an opportunity to replant with more suitable species of young, healthy stock.

The officer's recommendation is to part refuse and part approve the application with a condition to replace those trees to be felled that are subject to the TPO. A summary of the recommendation for work to be approved is listed in Annexe 1, using the reference numbers from the applicant's tree report. This should be read in conjunction with the accompanying map, which also identifies individual trees within the groups for ease of reference.

Reasons for part refusal: Some of the felling is refused because the trees still serve their function as specified under the TPO and are in such a condition that they could be retained under suitable management.

Conditions:-

1 TREE1

2 TREE2

3 TREE4

4 TREE5

5 TREE7

6 Replacement trees shall be to the following specification: minimum 10-12cm girth; 300-350cm high; minimum of four branches, plus one main leader. The trees shall be planted within the planting season (November-March) following removal. The range of tree species shall be selected from the following: *Betula pubescens*, *Quercus* spp. *Sorbus aria*, *Robinia pseudoacacia*, *Crataegus* spp. *Salix* spp. in positions to be agreed in writing by the local authority.

7 TREE9

8 TREE10

Reasons:-

Notes to Applicant

1. Wildlife and Countryside Act