

Development Management Delegated Decision Report

B/22/0174



| SUMMARY OF APPLICATION | | | | |
|---|---|--|---------------------------------|-----------------------|
| Application Reference | B/22/0174 | | | |
| Application Type | Application for works affecting a TPO | | | |
| Proposal | Application for works to trees subject to a Tree Preservation Order (Wyberton No. 5) to include: T1 - Silver birch 2M reduction and remove a number of branches T3 - Oak tree Reduce by 20%, remove dead wood and reshape T5 - Chestnut tree Reduce by 25%, remove dead wood and reshape | | | |
| Location | 284, London Road, Wyberton, Boston, Lincolnshire, PE21 7AU | | | |
| Applicant | John Murray | | | |
| Agent | | | | |
| Received Date: | 21-Apr-2022 | Consultation / Publicity Expiry Date: | | |
| Valid Date: | 21-Apr-2022 | Statutory Expiry Date: | 02-Jun-2022 | |
| Date of Site Visit: | 30-05-22 | Extension of Time Date: | | |
| Objections received? | None | | | |
| 5 day notification record: | | | | |
| | Councillors notified | Date | Response received – date | Ok to continue |
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| Recommendation (delete as appropriate) | Split decision – Approve works to T1 and T3 Refuse works to T5 | | | |
| Report by: | Lewis Humphreys | | | |
| Date: | 31/05/22 | | | |

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OFFICER REPORT

SITE AND SURROUNDINGS:

The trees this application relates to are situated within the curtilage of 284 London Road. This includes:

- a Silver Birch (T1) on the northern boundary of the site a few meters to the rear of the dwelling and approximately 8m in height,
- an Oak (T3) along the northern boundary towards the eastern end of the site approximately 10m tall and within close proximity to a pine in the curtilage of the dwelling to the north,
- and a Horse Chestnut (T5) along the southern boundary and within a couple of meters of the dwelling and with a crown spread that reaches the eaves of the property

DETAILS OF PROPOSAL:

It is proposed to carry out works to several trees protected by a group TPO. This includes a 2m reduction and the removal of several branches to T1, a 20% reduction of T3 and reshaping, and a 25% reduction of T5 and reshaping to reduce proximity to dwelling.

RELEVANT HISTORY:

No relevant history

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The trees are protected by the Wyberton TPO No. 5 (2005). The provisions of the Government's Planning Practice Guidance entitled 'Tree Preservation Orders and Trees in Conservation Areas' are of relevance to this proposal.

The Guidance states "in considering an application, the local planning authority should assess the impact of the proposal on the amenity of the area and whether the proposal is justified, having regard to the reasons and additional information put forward in support of it. The authority must be clear about what work it will allow and any associated conditions."

CONSULTATION RESPONSES:

ELDC Tree Officer - *It's a Horse Chestnut tree which appears in good physiological and structural condition. It exhibits some symptoms of Bleeding canker of Horse Chestnut, caused by the bacterial pathogen, Pseudomonas syringae pv aesculi, but infection does not appear to be chronic or extensive. Symptoms are minor and localised, with lesions appearing to have been present for many years, with evidence of vigorous occlusion and good secondary growth in response to infection. Research suggests larger trees (such as*

this) have the capacity to be more resistant and are less likely to succumb to the pathogen, with some recovering and showing very little, if any, significant long term adverse impact.

Additionally, like nearly all Horse Chestnut trees in the UK, it will also have been colonised by Horse Chestnut leaf miner, although given the time of year this won't be evident yet. The symptomatic brown necrotic patches on leaves become more evident as summer progresses. However, this does not significantly impair the trees' overall health, and the effect is mostly aesthetic. Research has shown that the leaf miner can attack up to 75% of the total leaf area on a tree, but that the loss of subsequent photosynthetic leaf tissue only reduces the total carbon assimilation by, at most, an estimated 30-40 per cent over the growing season. The reduction is much less than the total leaf area affected, because the majority of damage caused occurs late in the season, after the tree has completed most of its photosynthesis for the year. As such, the general tree condition and stem radial growth are not affected, even over repeated annual attacks.

It would be my opinion that the best form of management is to do nothing to the tree. It needs leaf area to photosynthesise and produce energy, and its branches for stored energy. Pruning removes these resources which help it fight diseases and stresses, and their loss would/could cause a deterioration in health and longevity.

I should add a caveat that it's always difficult to diagnose and give management recommendations from photographs, but in this case they seem pretty good at conveying the trees condition.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party responses received

EVALUATION:

The proposed works to T1 (see image to the right) include a 2m reduction and the removal of several branches showing the early signs of damage. The tree is visible in the street scene and does contribute positively to the amenity of the area. However, the proposed reductions would not lessen that value and as such the works are considered to be acceptable.



T3 is an oak that is in very close proximity to a pine in the neighbouring dwelling as can be seen in the images below. This pine has impacted the growth and shape of the tree and the works are proposed to reshape the tree. The amenity value of the tree would be preserved by these works and they are considered acceptable.



The works to T5 are proposed to reshape the tree to address the proximity to the dwelling. The applicant has provided additional information to provide some evidence of disease that has been corroborated by a site visit. Arboricultural advice indicates that larger trees such as this specimen are more resilient to the Bleeding Cankor of Horse Chestnut and that the removal of branches would have a negative impact on the health and longevity of the tree.

As can be seen in the images below the tree is in close proximity to the dwelling but the tree is also prominent within the street scene and is of significant amenity value to the area. Works that could result in the loss of the specimen would be significantly detrimental to the amenity of the area and as such the proposed works are not supported.



CONCLUSION:

RECOMMENDATION SPLIT DECISION

GRANT Consent for:

- T1 – 2 metre reduction and removal of branches which are splitting
- T3 – Reduce by 20% and reshape

REFUSE Consent for:

- T5 – Reduce by 25% and reshape for the following reason:
The tree is showing signs of Bleeding Cankor of Horse Chestnut and the pruning of branches would have a negative impact on the resilience of the tree to this disease, impacting its health and longevity.