

Agenda Item A16	Committee Date 19 September 2016	Application Number 16/0090/TPO
Application Site 9 Waltham Court Halton Lancaster Lancashire	Proposal Crown reduction by 30%	
Name of Applicant Mr Chris Ollerton	Name of Agent -	
Decision Target Date 20 September 2016	Reason For Delay N/A	
Case Officer	Miss Maxine Knagg	
Departure	No	
Summary of Recommendation	Tree Works Application – Grant Consent	

(i) Procedural Matters

This is not a planning application but an application for works to a tree that is protected by a Tree Preservation Order. These types of applications are usually considered under delegated powers. However in this particular case, it is considered prudent to determine the application at Planning and Highways Regulatory Committee, because a City Council employee lives at the property.

1.0 The Site and its Surroundings

- 1.1 Waltham Court is a cul-de-sac accessed via Beech Road in the village of Halton. The property is a detached dwelling with a rear garden.
- 1.2 The tree that is subject to this application is an oak tree protected by Tree Preservation Order (TPO) Number 113 (1987). It is established within the rear garden of the property.

2.0 The Proposal

- 2.1 The Tree Works Application seeks consent to undertake works to thin the canopy and its raise the height of the canopy above ground level. The height of the crown lift has not been specified. The total volume of live branches to be removed has been identified as 30% of the existing live crown mass.

3.0 Site History

- 3.1 None relevant to this application.

4.0 Tree Works Assessment

- 4.1 The tree can be seen from the wider public domain and as such makes a positive contribution to the character and appearance of the wider public domain.
- 4.2 It is an important resource for wildlife with significant potential to provide habitat and foraging

opportunities for a range of wildlife communities, including protected species, such as nesting birds and bats. Both are protected under the terms of the Wildlife & Countryside Act (as amended 2010) 1981.

- 4.3 Generally the tree (known as T1) is in good overall condition. Leaf coverage, leaf shape, size, colour and distribution across the canopy are all within normal parameters. However, there is evidence of epicormic growth throughout the canopy, which may indicate heavy previous pruning events or an element of “stress”; new growth in the form of epicormic shoots can be produced by the tree, to either replace removed foliage or “boost” the energy producing capacity of the tree following a period of stress for whatever reason.
- 4.4 The applicant has proposed a 30% crown thin and lifting of the overall canopy height (not specified), in order to reduce the overhang of the canopy affecting several neighbouring properties. A tree of this species, age and maturity will inevitably overhang neighbouring properties given the constrained nature of the domestic property. Expectations must be realistic. The extent of work agreed must be appropriate to the trees species, age and condition.
- 4.5 A 30% loss of live foliage from T1 would be considered too extensive given the extensive presence of epicormic growth, its species and age. It would be more appropriate to limit the loss of live foliage to that of 15%, minimising the potential for an adverse impact on trees health, vitality and long term sustainability. The height of the canopy should not exceed 3m above ground level, with all pruning works limited to the removal of epicormic growth and secondary branches not exceeding 4cm in diameter. The natural shape and balance of the canopy must be maintained in the interest of good arboriculture practice and amenity value.
- 4.6 All tree work must be carried out in compliance to current standards of best practice, set out within BS 3998 (2010) Tree Work, and to ensure the visual amenity, health, vitality and long term sustainability of the trees are not adversely impacted upon.

5.0 Conclusions

- 5.1 Works are permissible to this protected tree, but not at the level originally applied for. Crown thinning by a maximum of 15% of the overall live crown mass would be appropriate.
- 5.2 Therefore Members are advised that subject to the recommendations below, consent can be granted.

Recommendation

That **CONSENT TO UNDERTAKE WORKS TO THE PROTECTED TREE IS GRANTED** subject to the following conditions:

1. That in respect of T1 – Oak - crown thinning and works to maintain the canopy height at 3m above ground level, by a maximum of 15% of the overall live crown mass. Live branches removed must be limited to epicormic growth and secondary branches not exceeding 4cm in diameter. The natural shape and balance of the canopy must be maintained.
2. That all work must be undertaken in accordance to British Standard (BS) 3998 (2010) – Tree Work.
3. Standard condition Nesting Birds and Bats

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None.