

Classification: OFFICIAL

CHILTERN DISTRICT COUNCIL

PLANNING COMMITTEE - 10th August 2017

INDEX TO APPLICATIONS ON LOCAL AUTHORITY LIST OF REPORT

Penn

CH/2017/1208/TP

Ward: Penn And Coleshill

Page No: 2

Proposal: Felling of two ash trees and crown reduction of a holly - all protected by a Tree Preservation Order

Recommendation: Resolve to recommend Council to approve own development unless new points of objection received during advertisement period.

Throshers Wood Off, Seeleys Road, Knotty Green, Buckinghamshire

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

Local Authority List of Applications 10th August 2017

CH/2017/1208/TP

Case Officer:	Mr Keith Musgrave	Decide by Date:	18.08.2017
Date Received:	23.06.2017	Ward:	Penn And Coleshill
Parish:	Penn		
App Type:	Works to trees covered by TPO		
Proposal:	Felling of two ash trees and crown reduction of a holly - all protected by a Tree Preservation Order		
Location:	Throshers Wood Off Seeleys Road Knotty Green Buckinghamshire		
Applicant:	Chiltern District Council		

SITE CONSTRAINTS

Article 4 Direction
Adjacent to Unclassified Road
Adjacent Public Footpaths and Public ROW
Community Assets/ CDC Owned Land
Mineral Consultation Area
Within 500m of SINC NC1
Tree Preservation Order
Tree Preservation Order (A/G/W)
Ancient Woodland
Public Amenity Open Space

CALL IN

This application has not been called in by a Member but is referred to Planning Committee as the District Council is the applicant and the proposal is on Council owned land.

SITE LOCATION

Throshers Wood is a small wood about 1.4 hectares in extent that is owned by Chiltern District Council and situated within Knotty Green. There is a public footpath along the western side and it is adjacent to Seeleys Road on the eastern side. There are various permissive paths within the wood and it is well-used by the local residents.

The wood consists mainly of mature mixed broadleaved trees and it is surrounded by housing. Over the years there have been many concerns from various nearby residents about safety issues and a series of works has been carried out to various individual trees for safety reasons. However an area of about 0.2 hectares towards the south eastern end was felled and replanted nearly twenty-five years ago under a Felling Licence from the Forestry Commission. This was replanted with a mixture of mainly oak, field

maple, ash and cherry. In 2010 an additional group of three trees were felled and replanted and there was some thinning in the 1993 planting. There has been no major recent work to the trees at the northern end of the wood.

The three trees in the application are at the edge of the wood adjacent to 63 Seeleys Road. They can be seen in views from the road against a backdrop of other trees and also in limited views from within the woodland.

THE APPLICATION

T1 and T2 - ash - fell due to low amenity values and overhanging of neighbouring property 63 Seeleys Road. Both trees are spindly and have all their growth over neighbouring property and, due to surrounding woodland trees, have very minimal growth on woodland side. The removal of the trees will make the tree line less oppressive without affecting the visual aspect of the woodland edge.

T3 - holly - prune back to boundary and reduce height by one third due to lean over the adjacent property's outbuildings.

RELEVANT PLANNING HISTORY

The Bucks County Council (Amersham Rural District) Tree Preservation Order No 8 - 1961 covering a woodland at Throshers Wood, Knotty Green.

CH/2010/1568/TP Felling of three beech and some holly and formative pruning and removal of suppressed trees from an area of young trees. Conditional permission for woodland fell.

CH/2016/2237/TP Removal of a sycamore and three stems of a holly, pruning of branches overhanging 57 Seeleys Road from two field maples and a hornbeam. Conditional permission.

PARISH COUNCIL

No comment.

REPRESENTATIONS

None received at time of drafting report.

POLICIES

Core Strategy for Chiltern District - Adopted November 2011: Policy CS24

The Chiltern District Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011: Saved Policy TW2

EVALUATION

1. The application has arisen from concerns from the owners of 63 Seeleys Road about the effects of these three trees on their property.

2. T1 and T2 are two ash trees about 15m in height growing at the edge of the wood at a distance of about 1.5 to 2m from the fence of the rear garden of 63 Seeleys Road. The trees have a one-sided growth pattern with most of the branching growing outwards from the woodland for light. These branches extend up to about 6m from the trunks of the trees and partially overhang the rear garden of the property. Although the trees do not appear to be causing significant problems, their removal would have very little effect on the amenity value of the woodland. There are various larger beech and oak trees set slightly further into the wood that would become the edge of the woodland and maintain the wooded character. It is considered that no replacement planting would be necessary.

3. T3 is a holly about 12m in height that is growing closer to the road and to both a carport and an outbuilding of the property. It is quite a tall thin tree and some height reduction and shaping as proposed is considered to be reasonable management.

HUMAN RIGHTS

4. The following recommendation is made having regard to the above and also to the content of the Human Rights Act 1998.

RECOMMENDATION: Resolve to recommend Council to approve own development unless new points of objection received during advertisement period

Subject to the following conditions:-

- 1 The work for which consent is hereby granted shall only take place within two years of the date of this decision and may only be carried out once.
Reason: To prevent the accumulation of unimplemented and incomplete consents for works to preserved trees, to enable the Local Planning Authority to review the suitability of these works in the light of altered circumstances and to comply with the provisions of Section 17 of The Town and Country Planning (Tree Preservation)(England) Regulations 2012.
- 2 The tree surgery hereby approved shall not exceed the specification in the schedule of work that was submitted as part of the application.
Reason: To maintain, as far as possible, the amenity value of the trees and the special character of the area which were the reasons for the making of the Tree Preservation Order, and in accordance with Policy TW2 of The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011.
- 3 The works hereby approved shall be carried out in accordance with the guidance and recommendations in British Standard BS 3998:2010 Tree Work - Recommendations. In particular all final pruning cuts should be made in accordance with the practice of natural target pruning just outside the branch collar and/or just outside the line of the branch bark ridge. However when shortening a branch or stem, the final cut should be just beyond and parallel to the distal end of the bark ridge (if apparent) of a suitable branch chosen for retention.
Reason: To ensure good tree management, to minimise damage to the trees concerned and in accordance with Policy TW2 of The Chiltern Local Plan Adopted 1 September 1997 (including alterations adopted 29 May 2001) Consolidated September 2007 & November 2011.

INFORMATIVES

- 1 INFORMATIVE - All wild birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Consequently you should take adequate precautions to ensure that any tree work does not cause any disturbance to birds and their nests particularly during the normal nesting season of March to August. Similarly all bats and their roosting sites are protected by the same legislation so precautions should also be taken to avoid carrying out activities which might harm or disturb bats or their roosts.
- 2 INFORMATIVE - You are advised that any foliage and wood arising from tree work should be disposed of appropriately and should not normally be burnt on site. Further information can be obtained from the Council's Environmental Health team or online at www.chiltern.gov.uk/bonfires.