

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee
WARD: Market

17/07/12

**TREE WORKS APPLICATION 12/204/TTPO
NOTIFICATION TO FELL T1, HORSE CHESTNUT AT DENMORE LODGE,
BRUNSWICK GARDENS**

1.0 INTRODUCTION

- 1.1 A 211 notice has been received to fell a Horse Chestnut in the garden of Denmore Lodge, Brunswick Gardens protected by its location within a Conservation Area.
- 1.2 The item is brought before Members because objections have been received to the removal of the tree.
- 1.3 The Local Planning Authority can deal with this application in one of three ways:
(1) Offer no objection to the works,
(2) Object to the works and Place a Tree Preservation Order on the tree.

2.0 RECOMMENDATION

- 2.1 The Council offer no objection to the removal of the tree and its replacement with the Himalayan Birch.

3.0 BACKGROUND

- 3.1 As part of a pre-development tree survey in January, it was noted by the applicant's consultant that the Horse Chestnut, T1 on the plan, contained a number of structural defects sufficient to compromise the structural integrity of the tree. Given the tree's residential location and the number of 'targets' within range of falling limbs, the tree was considered to be a hazard. In order to remove the hazard an application has been made for the tree's removal.
- 3.2 The pre-development survey was carried out in order to assess the suitability of an extension to the house. Planning Application no. 11/0856/FUL was granted permission subject to a number of conditions including the protection of nearby trees. The removal of the tree may be considered by the applicant to be beneficial but this has not been given as a reason. Officers have therefore considered this notification on the grounds of health and safety only.
- 3.3 While the notification was registered as a TPO application, the Tree Officer could find no record of a TPO in the Horse Chestnut and makes recommendations accordingly.

4.0 CONSULTATIONS

- 4.1 Residents of Brunswick Terrace and Gardens and Maids Causeway were consulted and a Site Notice was issued for display.

- 4.2 9 objections to the removal of T1 have been received from residents in Maids Causeway and Brunswick Terrace and Gardens.

5.0 CONSIDERATIONS

- 5.1. Is a TPO appropriate

Amenity

Does the tree still make a significant contribution to the character and appearance of the area

Condition

Has the tree's condition deteriorated sufficiently to make it exempt from the TPO

Justification for Removal

Are there sound practical or arboricultural reasons to remove trees or carry out tree works.

- What is the justification
- Is there a financial consideration
- Is there a health and safety consideration
- Does the nuisance out way the benefit of retention

- 5.2 The Arboricultural Officer's assessment of the tree.

Amenity

T1 is sandwiched between two mature Lime trees protected by TPO 06/1988 one within the garden of Denmore Lodge and one just over the north boundary and in an adjacent garden. Given the close spacing of the three trees, they have formed a single 'group' canopy, with the two Limes forming the dominant part. While T1 can clearly be seen if viewed from a generally southerly aspect, its individual significance in visual terms is limited as viewed from public space. It is however acknowledged that its individual significance as viewed from adjacent properties to the east, south and west will be greater. However current guidance 'Guide to the Law and Good Practice' gives limited importance to private view in terms of Tree Preservation Orders. Furthermore the loss of T1 would allow the two adjacent Limes to grow into the space created by its loss.

Condition

Given the tree's mature age, historic tree work, the presence of leaf miner and evidence of historic canker, its vigour is relatively good. The crown contains a number of medium sized dead branches but this is typical given the shading caused by the close proximity of the two Limes.

The tree was pollarded some decades ago but has not been managed as a pollard since, although there is evidence of less significant crown reduction more recently. Of concern is the presence of large decay pockets, localised linear patched of dead bark, tight forks between the large limbs that have grown following the pollarding and acute branch angles. Horse Chestnut trees are known for a susceptibility to decay at pruning points and given the size and height of the limbs growing over the weak attachments, I believe that there is a significant risk of limb failure.

It has been suggested both in the notification supporting documentation and in letters of objection that the tree could be pollarded again, thinned or crown

reduced. While it is acknowledged that re-pollarding the tree would remove the immediate hazard, given the extent of decay within the crown, the tree would need to be managed as a pollard and have regrowth removed regularly or the hazard would return. The regular removal of regrowth will limit the tree's height and prominence in the skyline, will create a low and very dense canopy which will cast more shade over its immediate surroundings. Given the good health and vigour of the adjacent Limes, I would expect these trees to grow into the space created by the removal of the canopy and compromise healthy and balanced regrowth of T1. A replacement tree however could be located further away from the Limes so reducing their impact on a smaller tree.

Justification for Removal

- What is the justification
Limited individual public amenity contribution
Significant structural defects with the crown
Size of limbs over these defects
Lack of suitable, long-term alternatives to removal and
Proximity of targets
- Is there a financial consideration
No
- Is there a health and safety consideration
Yes, should any of the limbs fail, there will be a risk of harm to persons and/or damage to property.
- Does the risk outweigh the benefit of retention
For the reasons detailed above the Tree Officer considers the risk to outweigh the benefit of retention.

5.3 Applicants reasons for wishing to fell the tree

- The applicant has applied to remove the tree on the grounds that it is a hazard. Supporting evidence has been submitted in the form of an Arboricultural Consultant's Report prepared by David Brown. The Tree Officer considers the assessment of the tree's condition as presented in the report to be accurate and agrees with the tree work recommendation.

5.4 Objections with Officer Comments

- Significant pruning of the western most Lime will be required to accommodate the permitted extension making T1 of greater visual importance.
- *Minor pruning of the lower crown may be required to accommodate construction but the upper canopy will not need to be reduced back.*
- An independent survey should be carried out before a decision is made.
- *The Tree Officer agrees with the consultant's assessment of the tree's condition.*
- The tree is huge and an important part of the skyline and provides privacy to Brunswick Gardens and Maids Causeway. A previous application to remove the tree was lost at Appeal.
- *The two adjacent Limes will significantly lessen the impact of the loss of T1 on the skyline and on screening views to adjacent properties. Any Appeal history is not relevant to a tree's current condition and in any case I have found no evidence of a TPO on T1, which means an Appeal on this*

tree would not have taken place. There was however an Appeal relating to one of the adjacent Limes.

- If the tree is diseased, felling should be a last resort.
- *Given the extent of pruning required to remove both the long-term and short-term hazards and the effect this would have on the tree's amenity contribution removal and replacement is the best option.*

6.0. OPTIONS

6.1 Members may

- Grant consent for the works without condition,
- Grant consent to works with condition or,
- Refuse permission for the works.

7.0 CONCLUSIONS

7.1 The Council grant consent for the works subject to replacement planting.

8.0 IMPLICATIONS

(a) Financial Implications	None
(b) Staffing Implications	None
(c) Equal Opportunities Implications	None
(d) Environmental Implications	None
(e) Community Safety	Harm or Damage resulting from structural failure

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

TWA 12/204/TTPO – Remove Horse Chestnut T1 and replace with Himalayan Birch.

Tree Preservation Orders: a guide to the law and good practice

9 Objections in the form of letter or email, received from Maids Causeway and Brunswick Terrace and Gardens.

To inspect these documents please either view Public Access or contact Joanna Davies on extension 8522

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Appendix 1 Plan