

2022/0301

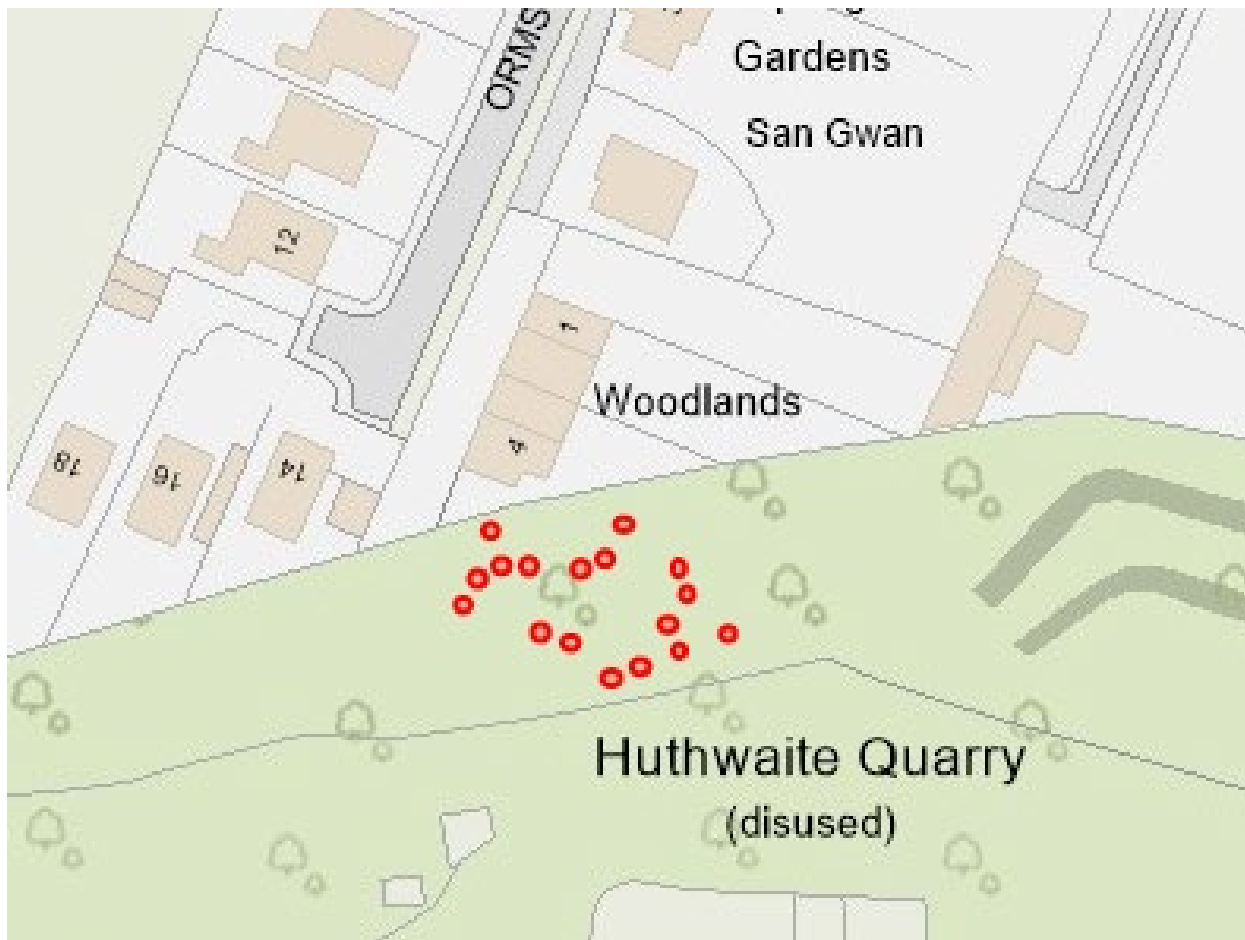
Ms Helen Stringer

Remove Oak trees 2, 6, 8 and 9 and an Elder 17, crown lift Oaks 1 to 4.5m and 12-16 to 5m, remove lower limbs at 3 and 4m from Oak 3, coppice Oak 4, remove crossing branch from Oak 5, remove split hanging limb from Oak 7, remove dead limb from Oak 10 and weak limb from Oak 11 within TPO 3/1997.

4 The Woodlands, Huthwaite Lane, Thurgoland, Sheffield, S35 7AF - Woodland immediately adjoining, part of the wider Huthwaite Quarry Area.

Description

The site is a small privately owned section to the rear of 4 The Woodlands, an end terrace. The trees are part of the wider Huthwaite Quarry Woodlands and as such as part of these woodlands has a high amenity value. The trees which are the subject of this application include Elder and Oak trees.

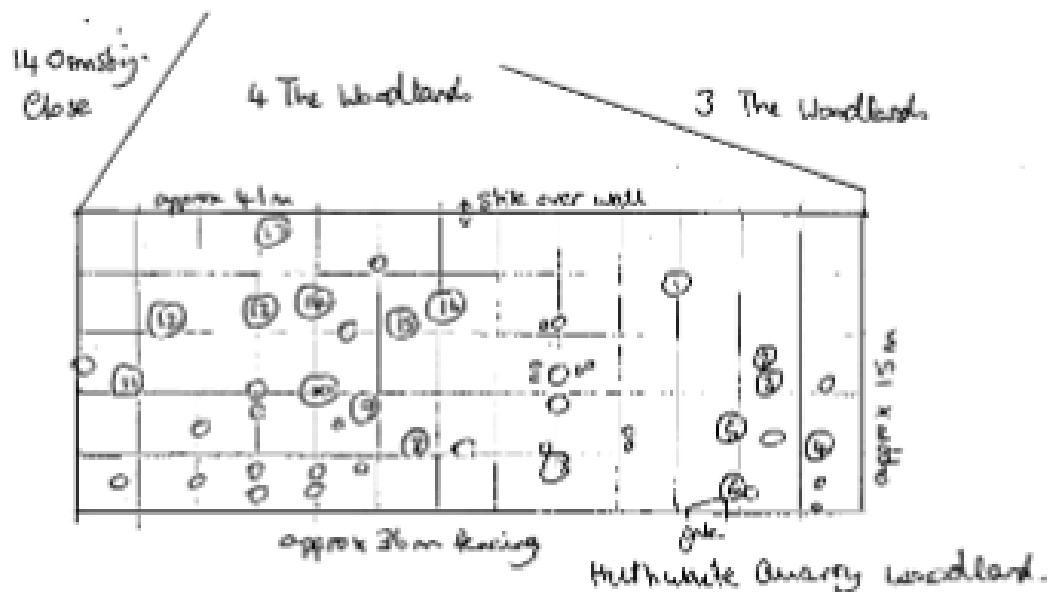




Proposed Development

Remove Oak trees 2, 6, 8 and 9 and an Elder 17, crown lift Oaks 1 to 4.5m and 12-16 to 5m, remove lower limbs at 3 and 4m from Oak 3, coppice Oak 4, remove crossing branch from Oak 5, remove split hanging limb from Oak 7, remove dead limb from Oak 10 and weak limb from Oak 11 within TPO 3/1997.

The Tree works are proposed for woodland management purposes and to remove dead/damaged trees and limbs. Replacement planting will be carried out in agreement with the Tree Officer.



- ① light crown lift overhanging branches - allow light into property. oak.
- ② oak - half dead - remove.
- ③ oak - remove two lower limbs at 3 + 4 m
- ④ oak - partially dead - coppice.
- ⑤ oak - remove branch - crossing another tree.
- ⑥ oak - crowded/poor form - remove.
- ⑦ oak - remove split + hanging limb.
- ⑧ oak - partially dead - remove - increase light into property
- ⑨ oak - partially dead - remove - increase light into property.
- ⑩ oak - remove dead limb.
- ⑪ oak - remove weak limb - increase light
- ⑫ - ⑬ oak - crown lift to 5m over garden - increase light.
- ⑭ Elder - remove - increase light.

Area for new planting - between the gate and ⑧ and ⑨, alongside the fence area to the right of ⑫ in the plan.
 I propose to plant young trees - silver birch (3), mountain ash (1), bird cherry (1).

Policy Context

The statute law on TPO's is in the Town and Country Planning Act 1990 and in the Town and Country Planning (Trees) Regulations 1999.

Primarily the aim of making a TPO is to protect the amenity value of the tree or trees. LPAs may make a TPO if it appears to them to be: 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.

The Act does not define 'amenity', nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO. Normally trees should be visible from a public place e.g. road or footpath for a TPO to be made but the courts have decided that trees should be protected for "*pleasure, protection and shade they provide*". Taking this into account trees should be considered for other aspects of amenity that they provide other than visual amenity.

Government advice and guidance available on the administration of TPOs, is:- 'Tree Preservation Orders: A Guide to the law and Good Practice' 2000. The guidance states that 'LPAs must include in their plans land use and development policies designed to secure the conservation of natural beauty and amenity of the land. Plans should not, however, include policies which are unrelated to the development or use of land. They should not therefore include the LPA's policies for deciding applications for consent under a TPO; but they should include policies on measures that the LPA will take, when dealing with applications to develop land, to protect trees and other natural features and provide for new tree planting and landscaping.'

In deciding an application the LPA's are not required to have regard to the development plan. Section 54A of the Act, 88 therefore, does not apply to the LPA's decision, which means that there is no general duty on the LPA to make their decision in accordance with the development plan.'

Consultations

Tree Officer – Approve with conditions

Representations

Local residents were informed by neighbour notification letter.

1 objection has been received which raises the following concerns:-

The Woodland has been sold off to adjacent home owners and split into sections. Trees have been removed and damaged. Concerns raised with regard to the work proposed.

Assessment

In line with good practice, primarily the aim of making a TPO is to protect the amenity value of the tree or trees. In considering TPO applications the LPA is advised:

(1) to assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area, and

(2) in the light of their assessment at (1) above, to consider whether or not the proposal is justified, having regard to the reasons put forward in support of it.

The Tree Officer has been consulted as part of the application and has no objections to the proposal. The site was visited by the Tree Officer and the trees were briefly inspected, it was noted that the trees had been marked on site for easy identification.

The site is a small privately owned section of the wider Huthwaite Quarry Woodlands and as such as part of these woodlands has a high amenity value. The Tree Officer has not received an application for works to these trees previously and as such the works proposed are a wide ranging suite, varying from health and safety works such as removing damaged limbs and trees in poor health, through to works to alleviate issues for the resident such as crown lifting

along the garden boundary etc. The amount of works to be undertaken appear very high when viewed as a list, however in the context of the site and the level of tree cover it is clear this is not the case.

The pruning type works proposed vary in nature but generally have been well chosen by the agent to address the specific issues noted with the tree or for the residents, but in a very light touch way in terms of how these will impact aesthetically on the individual trees and the section of the woodland as a whole. The Tree Officer is therefore content that the pruning works proposed as a whole are appropriate and acceptable.

The tree removals proposed again centre around those trees which are in poor condition and in the main appear to be based on a health and safety approach, however they will also act as a slight thinning exercise which will allow more light to penetrate to the woodland floor which will be of benefit to the woodland group. Replacement planting is proposed on a one for one basis however I do feel the species chosen could be improved upon by focusing on providing one or two larger natives rather than all small to medium sized ones. The replacement of these trees will also help to introduce some more variation to the age structure of the woodland. To that end rather than specifying direct one for one replacement in the locations of the trees to be removed the Tree Officer has requested a replacement planting plan be conditioned so that the appropriate locations and species can be chosen to mitigate for the tree removals.

Overall, although appearing severe, the level of works proposed is quite modest in relation to what is present in the area and will improve the site for the owners, whilst if care is taken with replacement planting benefit the woodland as a whole, through diversifying the age structure and by allowing better light penetration to the woodland floor via the pruning works.

The Tree Officer has confirmed that there are no grounds to object to the proposed works from an arboricultural perspective and the Tree works are considered to be appropriate and in line with good practice. The proposal is acceptable subject to the submission and approval of a replacement tree planting scheme before completion of the works.

Recommendation: Approve with conditions