



© Crown copyright and database rights 2017 Ordnance Survey 100023408.

43/2018/0847

Scale: 1:1000

Printed on: 18/12/2018 at 13:06 PM

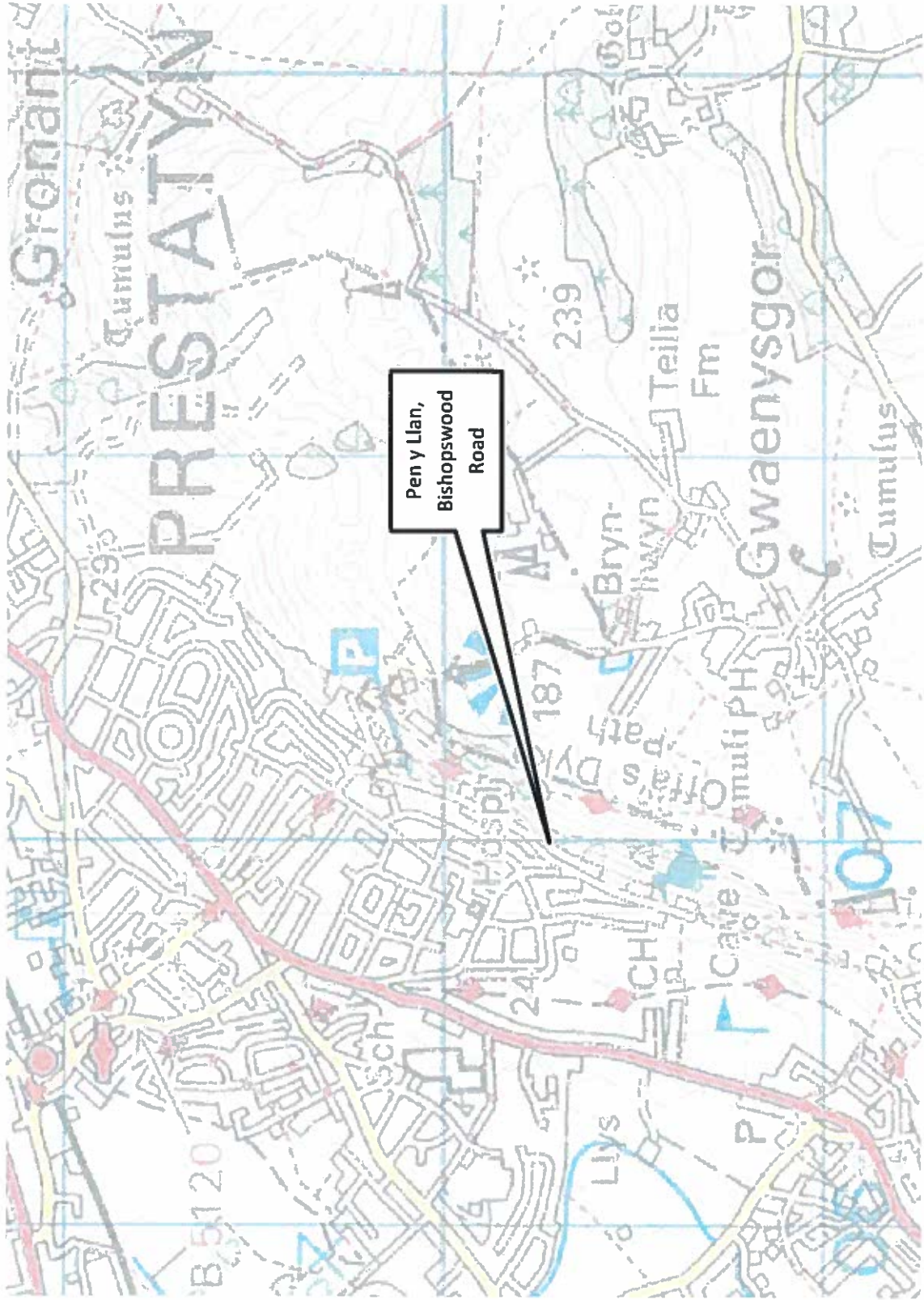


© Denbighshire County Council





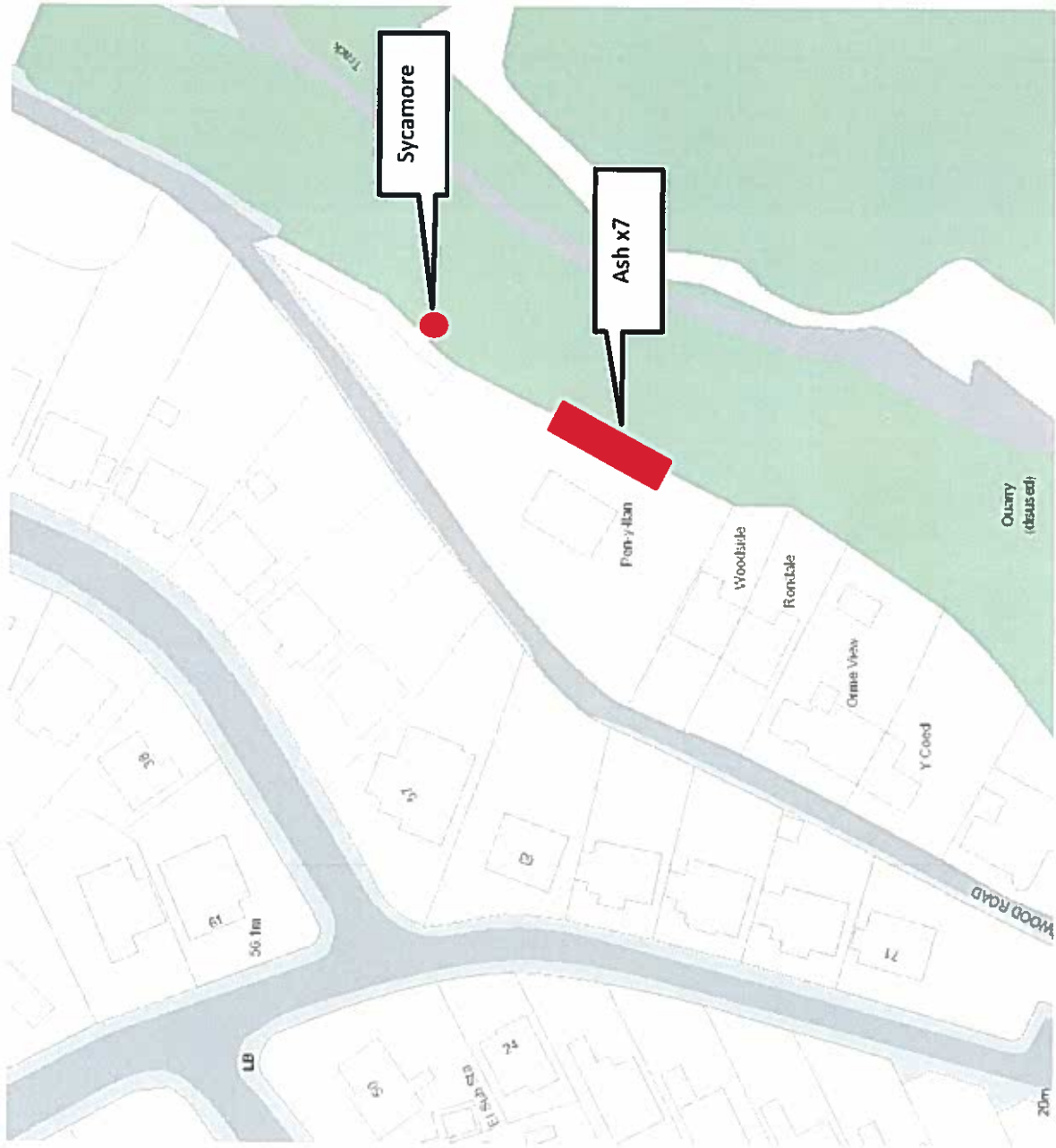
Tree Location Plan (TLP-01)





# SITE PLAN

Site Plan (SP-01)





**WARD :** Prestatyn Central

**WARD MEMBERS:** Cllr Tina Jones (c)  
Cllr Hugh Irving

**APPLICATION NO:** 43/2018/0847/ TP

**PROPOSAL:** Removal of seven ash trees and one sycamore tree subject to Tree Preservation Order 1/1981

**LOCATION:** Pen Y Llan Bishopswood Road Prestatyn

**APPLICANT:** Mr William Scriven

**CONSTRAINTS:** Tree Preservation Order  
SSSI  
Article 4 Direction  
AONB

**PUBLICITY UNDERTAKEN:** Site Notice - No  
Press Notice - No  
Neighbour letters - Yes

**CONSULTATION RESPONSES:**

PRESTATYN TOWN COUNCIL

“Objection, old woodlands must be protected. Removal of trees should only be considered if tree diseased and/or imminent danger to property”.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES  
TREE CONSULTANT

Taking into account the characteristics of the trees, their proximity to the overhead line and dwelling and their limited amenity, considers it would be unreasonable to require them to be pruned and concludes their removal is justified.

**RESPONSE TO PUBLICITY:**

No representations received.

**EXPIRY DATE OF APPLICATION: 21/11/2018**

**REASONS FOR DELAY IN DECISION (where applicable) N/A**

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

1.1.1 The application seeks permission for the removal of 7 Ash trees and 1 Sycamore which are located in a large area of land which is subject to a Tree Preservation Order, to the south east of Bishopswood Road in Prestatyn.

1.1.2 The reason for the proposed works is due to the top-heavy form of the trees and the proximity of the trees to the dwelling Pen y Lan and a low voltage power line, which raises safety concerns.

1.1.3 The location of the trees is shown on the plan at the front of the report. The specimens involved are:

- A sycamore in decline, located behind a low retaining wall and is the furthest north east, adjacent to the drive.
- Three ashes situated directly behind the dwelling, which are growing in a garden area. The ashes are slender trees with poorly developed crowns.
- Another slender ash and a sycamore adjacent to the electricity line.
- The remaining two ashes in an area of woodland regeneration slightly higher up the slope.

## 1.2 Description of site and surroundings

1.2.1 The trees are situated on a steep bank rising up the hillside behind Pen y Llan. On the application form the agent advises that the trees are in the ownership of Denbighshire County Council.

## 1.3 Relevant planning constraints/considerations

1.3.1 The trees are covered by a Former Clwyd County Council/1/1981 Tree Preservation Order.

1.3.2 The trees are situated within the Prestatyn Hillside SSSI site and within the boundary of the AONB.

## 1.1 Relevant planning history

1.1.1 None.

## 1.2 Developments/changes since the original submission

1.2.1 None.

## 1.3 Other relevant background information

1.3.1 None.

## **2. DETAILS OF PLANNING HISTORY:**

2.1 N/A

## **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

### 3.1 **Supplementary Planning Guidance**

Supplementary Planning Guidance Note: Trees & Landscaping

### 3.2 Government Policy / Guidance

Planning Policy Wales Edition 10 (December 2018)

Technical Advice Note 10 - Tree Preservation Orders

## **4. MAIN PLANNING CONSIDERATIONS:**

4.1 The main land use planning issue in relation to the application are considered to be:

4.1.1 Impact on Amenity Value

4.2 In relation to the main planning consideration:

4.2.1 Impact on Amenity Value

Tree Protection Orders are made on the basis of an assessment of the amenity value of the trees. Therefore assessment of the application to fell or undertake works to trees subject of a TPO must be restricted to an assessment of the amenity value of the tree(s).



Owing to the location of the trees behind the property Pen y Llan on a steep embankment, their limited visibility on the Prestatyn Hillside and their poorly developed crowns and slender forms, it is considered that the removal of the trees would not have a significant impact upon the amenity value or character of the AONB. The Council's Tree Consultant has stated that "taking into account the characteristics of the trees, their proximity to the overhead line and dwelling and their limited amenity; I consider it would be unreasonable to require them to be pruned and their removal is justified".

The Tree Consultant has advised that he would not recommend replacement planting but would instead suggest a condition be attached which prevents the treatment or removal of the stumps so that over time they will regrow.

In respecting the comments of the Town Council, it is considered that none of the trees can be regarded as forming woodland, or old woodland and the proposals to remove the trees would not have an unacceptable impact on amenity value subject to the imposition of appropriately worded conditions. The application is therefore considered acceptable.

## **5. SUMMARY AND CONCLUSIONS:**

- 5.1 Having regard to the scale and nature of the tree works proposed it is not considered their removal would have an unacceptable impact in relation to visual amenity. The proposals are considered acceptable and are recommended for grant.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The work shall be completed within 2 years from 16th January 2019
2. This consent is granted in relation to the following plans and documents:
  - (i) Photographs - Received 27 September 2018
  - (ii) Location Plans - Received 29 August 2018
  - (iii) Covering Letter - Received 29 August 2018
3. The stumps of any of the felled trees shall not be treated to prevent regrowth, ground out, excavated or otherwise killed or destroyed.
4. No tree works hereby permitted shall take place until a Method Statement for the tree works has been submitted to and has been approved in writing by the Local Planning Authority. Once approved the works shall only be carried out in accordance with the approved Method Statement unless a variation to it is agreed in writing with the Local Planning Authority.

The Method Statement should include the following details:-

- Method of felling, including direction, or dismantling
- Biosecurity measures
- Access
- Disposal of arisings
- Demarcation of SSSI boundary

The reasons for the conditions are:-

1. To ensure the work is carried out within a reasonable period.
2. For the avoidance of doubt.
3. To provide coppice growth and subsequent canopy cover on the edge of the hillside, which will provide replacement amenity.
4. The land on which the trees are situated is within Prestatyn Hillside SSSI and it is necessary to safeguard the plant communities associated with the site's designation.