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18/2019/0124

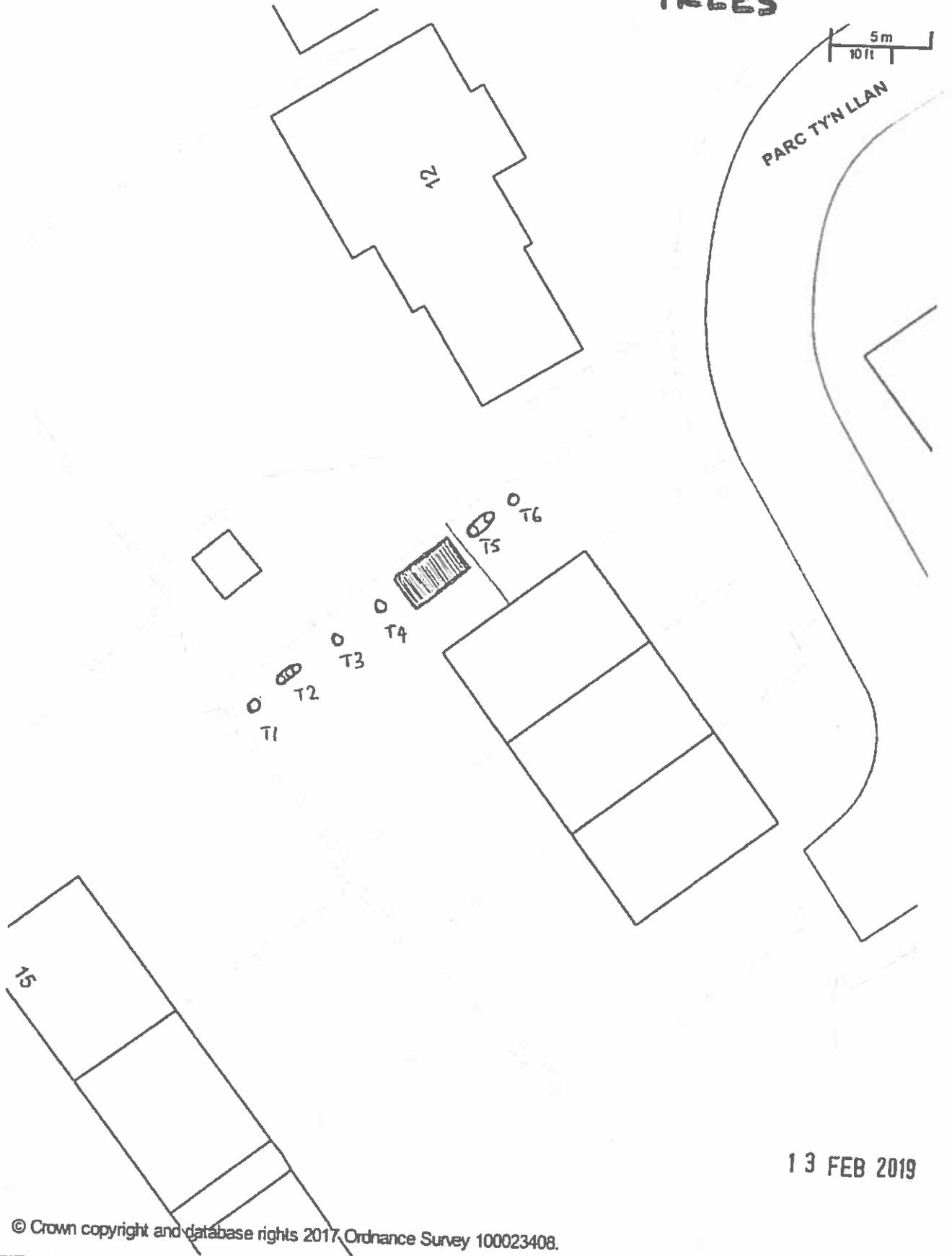
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LOCATION OF TREES



13 FEB 2019

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SITE PLAN

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PROPOSED WORKS
ON TREES



T1 - Elm

T2 - Sycamore

T3 - Sycamore



T2 - Sycamore

T3 - Sycamore

T4 - Sycamore

T5 - Sycamore



T1 - Elm

T2 Sycamore

13 FEB 2019

WARD : Llandyrnog

WARD MEMBER: Councillor Merfyn Parry (c)

APPLICATION NO: 18/2019/0124/ TP

PROPOSAL: Works to elm tree and sycamore trees subject to a Tree Preservation Order

LOCATION: 11 Parc Tyn Llan Llandyrnog Denbigh

APPLICANT: Mrs Adie Griffin

CONSTRAINTS: Tree Preservation Order

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

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Application submitted by / on behalf of relative of a member of staff of Development Management section.

CONSULTATION RESPONSES:

LLANDYRNOG COMMUNITY COUNCIL

“Llandyrnog CC discussed this application at their meeting 19th February and have no observations or comments to make and support the application.”

DENBIGHSHIRE TREE CONSULTANT

The application proposes to prune several trees along the north west boundary of the property. The mature elm in the corner of the garden has the greatest merit and out of leaf does not appear to have suffered dieback from Dutch Elm Disease. The elm's main stem is biased over the garden and is approximately 450mm DBH and 15m tall. The proposed pruning is sympathetic and should not affect the amenity it affords to the locality

The remaining trees comprise of sycamore stems which afford limited amenity and have been previously reduced in height.

The three stems forming T2 range from 200-300mm DBH and are +-11m in height having regrown from a cut height of 6m. Reducing and thinning the clustered regrowth would make the stems have a more natural shape. T3 is a 7m high tree on a single stem covered in ivy that affords very limited visual amenity. To the front of the property, four stems grow from two stools which have been previously cut to reduce the number of stems. Sections of the stools contain decay.

G1 of The Llandyrnog Village TPO from 1996 only lists 'sycamore' in the First Schedule although the Group on the TPO plan would encompass the elm at the end. It would be up to the courts to decide, for certain, whether or not the TPO could be enforced to include the elm. (This could happen in the event of a prosecution).

As the applicant has submitted a TPO application to carry out works to the elm and it is recommended that the LPA agree to the applicant's request, it is not currently necessary to definitively decide whether or not the TPO applies to the elm.

In conclusion, the Tree Consultant offers no objection to the tree works, subject to standard conditions.

RESPONSE TO PUBLICITY:

None.

EXPIRY DATE OF APPLICATION: 09/04/2019

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The proposal is for works to trees in Area G1 protected by the Llandyrnog Village TPO, which include:

- Works to 1 no. Elm – reducing crown height by 2m and reducing lateral spread to south-west and north-west by 1m. Crowning thinning by 15% and removal of weak branches.
- Works to 5 no. Sycamores – reduce height by 1m. Reduce lateral spread to north to leave branch spread of 2.5m. Crowning thinning by 15%.

1.1.2 The application is reported to Committee as the applicant is related to a member of staff in the Development management Section.

1.2 Description of site and surroundings

1.2.1 The protected trees are located within the private garden area of a residential property, which is located on a modern house estate within the centre of Llandyrnog village.

1.1 Relevant planning constraints/considerations

1.1.1 The trees are located in the Llandyrnog village development boundary.

1.1.2 The trees are covered by a Glyndwr District Council Tree Preservation Order 1996: Llandyrnog Village.

1.1.3 The TPO affords protection to a Group of Trees (G1) which are situated along the side boundary of the site and which are described in the TPO as a group of Sycamores.

1.2 Relevant planning history

1.2.1 There have been various consents relating to development of the housing estate, which are not considered to be of relevance to the current application.

1.2.2 There have been previous approvals for works to trees protected by the TPO.

1.3 Developments/changes since the original submission

1.3.1 None.

1.4 Other relevant background information

1.4.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 18/2008/0526. 30% crown reduction, canopy lift, deadwooding and thinning to sycamores and elm in Area G1 and sycamore No. T1 on plan annexed to Glwyndwr District Council Tree Preservation Order 1996. Granted 11/06/2008

2.2 Felling of sycamore tree No. T1 and 30 percent canopy reduction of sycamore and elm trees in Area G1 shown on the plan annexed to Glwyndwr District Council Tree Preservation Order 1996. Granted 14/04/2014.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD 1 Sustainable Development and Good Standard Design
Policy VOE 1 Key Areas of Importance

Supplementary Planning Guidance Note: Trees & Landscaping

Government Policy / Guidance

Planning Policy Wales Edition 10 (December 2018)

Technical Advice Note 10 - Tree Preservation Orders (1997)

Circular 64/78 'Trees and Forestry'

4. MAIN PLANNING CONSIDERATIONS:

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

4.1.1 Principle

4.1.2 Amenity Value of the trees

4.1.3 Is the proposal justified

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy VOE 1 in the Local Development Plan seeks to protect sites from development that would adversely affect their biodiversity and landscape value.

Policy RD 1 includes tests which seek to protect the visual amenity of the area.

Section 6.2.24 of Planning Policy Wales (PPW 10) states that trees, woodlands, copses and hedgerows are of great importance to biodiversity. They are important connecting habitats for resilient ecological networks and make a valuable wider contribution to landscape character, sense of place, air quality, recreation and local climate moderation. Section 6.2.25 states that Local Planning Authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function.

Circular 64/78 and TAN 10 provides guidance in relation to Tree Preservation Orders (TPO's) and states that TPO's are made if it is considered expedient '*in the interests of amenity*'. TPO's are used to protect selected trees and woodlands if their removal would have '*a significant impact on the environment and its enjoyment by the public*'.

Therefore, in determining applications for felling or carrying out of works to protected trees, current guidance is as follows:

i) to assess the amenity value of the tree or woodland, and the likely impact of the proposal in the amenity of the area, and

ii) in light of their assessment at i), to consider whether or not the proposal is justified, having regard to the reason put forward in support of it.

The proposal is therefore considered acceptable in principle subject to the consideration of the above tests, which are set out below.

4.2.2 Amenity value of the trees

The trees are located in the private garden area of a residential property, and run along the side boundary between the site and the neighbouring property to the north.

The TPO was served in 1996 to ensure trees were retained within the site when the housing estate was developed.

Whilst the TPO citation only lists Sycamore trees within the G1 group of trees, the application includes works to an Elm tree as well as Sycamores within the residential garden as the Elm is within area shown on the TPO plan.

The Elm tree is situated in the corner of the rear garden and is considered to be of merit and contributes to the amenity of the area.

The Sycamore trees are considered to afford more limited amenity value to the area.

Whilst the trees are located within a private residential garden area, they nevertheless offer some degree of public amenity value to the local area.

4.2.3 Is the proposal justified

The works are proposed to allow more light into the garden and to ensure trees are maintained at a height and crown spread which is proportionate to the domestic setting.

The Tree Consultant has raised no objection to the proposed works.

The works to the Elm tree are considered to be sympathetic and would not affect the amenity it affords to the locality.

The Sycamore trees are considered to afford only limited amenity value to the local area and have previously been reduced in height. The works proposed are considered to be sympathetic and would not be detrimental to the amenity value of the trees.

The works are therefore considered to be minor in nature, and would not harm the health or amenity value of the protected trees, and accordingly the proposal is considered to be justified.

5. SUMMARY AND CONCLUSIONS:

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

RECOMMENDATION: CONSENT- subject to the following conditions:-

1. The work shall be completed within 2 years.

The reasons for the conditions are:-

1. To ensure the work is carried out within a reasonable period.