

DELEGATED DECISION

Application is Works to Trees - Tree Preservation Order

The Officer has checked the application in accordance with the planning policies and recommends the application for - Approval (P)

The delegation powers schedule has been checked. Interim Director of Planning, Regeneration & Public Realm can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Interim Director of Planning, Regeneration & Public Realm**

Address: 93 WILTSHIRE LANE EASTCOTE PINNER

Development: To fell One Scot's Pine at T1 within TPO 453.

LBH Ref Nos: **43575/TRE/2023/274**

Drawing Nos: Sketch plan
 Covering letter

Date Plans received: 15-11-2023 **Date(s) of Amendments(s):**

Date Application valid 15-11-2023

1.0 SITE \ PROPERTY DESIGNATION

Tree Preservation Order(s) Yes TPO 453

2.0 RELEVANT PLANNING HISTORY

2.01 Additional Planning History Comments

2.02 Planning History

3.0 PLANNING POLICIES AND STANDARDS

3.01 Relevant UDP Policies (ref. nos. only)

In deciding TPO applications the local planning authority is not required to have regard to the development plan (Guide to the law and good practice - tree preservation orders, DETR 2000 - paragraph 6.46 page 25)

3.02 Relevant Supplementary Planning Guidance

3.03 Other Key Documents

4.0 CONSULTATIONS

4.01 Neighbours

No Comments Received.

4.02 Residents Association(s) / Amenity Group(s)

5 consulted, No Comments Received.

4.03 Conservation Area Advisory Panel

No Comments Received.

4.04 Councillor(s) / MPs

No Comments Received.

4.05 Other(s)

No Comments Received.

5.0 KEY PLANNING CONSIDERATIONS

5.01 Introduction

This decision is based on whether or not the proposal is justified, having regard to the reasons put forward in support of it, having assessed the amenity value of the trees and the likely impact of the proposal on the visual of the locality.

5.02 Description of trees and requested works

TPO No - 453

Species - Pine

Condition / Age - Average / Mature

Amenity value - High

Work requested - fell

Reasons for work - decay and subsidence, see reports

5.03 Amenity

The Scots Pine is situated in the front garden of 93 Wiltshire Lane, opposite the entrance and parking area of Haydon School. This tree has a high amenity value and is a significant and important landscape feature for those living within Wiltshire Lane and Everett Close, as well as for the pupils of Haydon School, who are able to gain view of this tree from different corners of the school. The tree highly contributes to the local biodiversity and makes a significantly positive contribution to the appearance of the local landscape, in unison with the other two protected Scots Pines located nearby.

5.04 Appraisal

The applicant is seeking consent to fell this Scots Pine, for two main reasons, that the tree is allegedly causing subsidence damage to property 91 Wiltshire Lane and for health and safety reasons.

The scientific and technical evidence provided have been appraised. The level monitoring shows soil movement consistent with seasonal movement close to the tree, which although relatively minor in 2020 and 2021 has become more significant in 2022 and 2023. Due to the recent level of movement and the limited scope for reduction work to a Scots Pine, it is agreed that the only viable options in this case are to remove the tree or underpin.

If you then also take into account the health and safety report, felling becomes appropriate management in this case. The Pine is leaning towards the public highway with evidence of decay within it's trunk.

6.05 Conclusion

The work is justified, the inclusion of a replacement planting condition will limit the negative impact on the amenity of the area.

7.0. RECOMMENDATION

APPROVAL subject to the following:

1. TW7 Replacement of Protected Trees (TPO) - Submission

No felling shall take place until such time as a scheme has been submitted to, and approved in writing by, the Local Planning Authority for a replacement tree, which shall be of 'Standard' size (about 2-3m high) and short-staked for support. The replacement tree shall be planted during the first planting season following the felling works hereby permitted. Thereafter, the replacement tree shall be retained indefinitely and maintained (watered and weeded during the spring and summer) for 2-3 years, or until established.

REASON

In order to comply with the requirements of Section 206 of the Town and Country Planning Act 1990.

INFORMATIVES

1. IT05 Wildlife and Countryside Act 1981

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or any other protected species. Therefore, if applicable, it is advisable to consult your tree surgeon / consultant to agree an acceptable time for carrying out the approved works.

2. IT07 Owner(s)'s permission:

Owner(s)'s permission: Permission should be sought from the owner(s) of the tree(s) and / or the owner(s) of the land that the tree(s) overhang prior to any approved work being carried out.

3. IT11 Risk of heave

Risk of heave: You are advised that a risk of soil heave and heave-related damage to properties may arise following the felling / removal of trees. Therefore, it is advisable for you to obtain independent expert advice prior to carrying out the approved tree felling. Hillingdon Council cannot and will not accept responsibility or liability for any damages associated with the implementation of this consent.

Contact Officer:

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