

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

### 212843

Treleaver, Cusop, Hereford, HR3 5RD

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**CASE OFFICER:** Mr Oliver Kaye

**DATE OF SITE VISIT:** .....

**Relevant Development**      **Herefordshire Local Plan – Core Strategy**  
**Plan Policies:**                      **Policies:LD1 & LD3**

**NPPF – part 15**

**Relevant Site History:**      **211185 – Application to fell refused.**

#### CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X	X			
Transportation					
Historic Buildings Officer					
Ecologist					
Landscape					
Environmental Health (noise/smell)					
Environmental Health (contamination)					
PROW					
Natural England					
Welsh Water					
Local Member	X	X			

## **PLANNING OFFICER'S APPRAISAL:**

### Site description and proposal:

Treleaver, Cusop, Hereford, Herefordshire, HR3 5RD

Sycamore, fell due to size and impact on the property, and difficulty providing a pruning solution that does not damage the tree.

### Representations:

None.

### Pre-application discussion:

None.

### Constraints:

Tree Preservation Order 378/G2

### Appraisal:

This application has been submitted after Herefordshire Council refused another application requesting permission to remove the same tree.

My report for that application:

Officer Report

*The mature sycamore tree subject to this application is located on adjacent land to the applicant's property Treleaver, who are of the opinion that the tree is a risk to their property because of the lean it exhibits towards the property. Despite these concerns no supporting justification was submitted with the application suggesting the tree is unsafe. Based on my own observations I would suggest the reason for the lean is the proximity of the*

*adjacent tree (T2) in the image above. This is the large tree and its dominance has resulted in the application tree to grow towards the applicant's property where it is afforded more light and space. In my opinion this has resulted in the lean. The lean is something that has developed naturally and therefore the tree has adapted to the situation. If the lean had occurred over a short time period due to instability then I would support its removal.*

*I disagree with the comment the tree offers no public amenity value. It is included in a group TPO that was served in 1996 because of their public amenity value and I don't see how that situation has changed when they are clearly visible from the highway.*

*On account of my observations I recommend this application is refused for the reason that it is a tree of high public amenity value which contributes to the value of the group tree preservation order and insufficient justification to support its removal has been submitted.*

An arboricultural report has been submitted with this application to add some weight to support the removal of the tree but again, I'm inclined to recommend refusal.

The reason provided for removing the tree this are:

Fell due to size and impact on the property, and difficulty providing a pruning solution that does not damage the tree.

Despite the submission of the report it's not clear to what extent the damage is. As far as I am aware the tree is not causing any structural problems to the house via soil movement or direct damage.

The overhanging branches will cause a collection of debris on the roof and in guttering but this is not a valid reason to fell what I and the author of the report believe to be a tree in good health. I still regard the trees as having high public amenity value because it is clearly visible from the highway.

Taking into account the trees good health I would have suggested that a crown lift, removing the branches closest to the property roof, back to the stem, would have little impact on the long term health of the tree. Complete removal of all overhanging branches is not an option but a clearance of 3-4m would have some benefits to the house by reducing the volume of debris. Considering the property is adjacent to a group of mature trees leaves and other debris are always going to have an impact.

Recommend refusal.

**RECOMMENDATION:**    **PERMIT** ☐            **REFUSE** ☒

**REASON(S) FOR REFUSAL:**

1. The report submitted supporting the felling of the tree does not provide sufficient justification to validate its removal.
2. The Sycamore tree is part of a group TPO served due to the collective public amenity value the group offers. The loss of this tree would diminish the value of the group.
3. The reasons given for felling are not compliant with policies LD1 & LD3 of the Herefordshire Core Strategy.

OSK

Signed: ..... Dated: 27/9/21.....

**TEAM LEADER'S COMMENTS:**

**DECISION:**

**PERMIT** ☐

**REFUSE** ☒

Signed: 

..... Dated: 12/10/2021 .....

Is any redaction required before publication? Yes/No