

South Hams Planning
Application to work on Trees subject to a Tree Preservation Order
Officer Report, Assessment and Recommendation

Case Officer: Lee Marshall

Parish: Salcombe **Ward:** Salcombe and Thurlestone

Application No: 2609/21/TPO

Agent/Applicant:

Mr Keith McBride - Dart Tree
Consultancy
Wrigwell Estate
Ipplepen
Newton Abbot
TQ12 5UA

Applicant:

Mr C Jacobs
Bridleway House
Moult Hill, Salcombe
TQ8 8LF

Site Address: Bridleway House, Moult Hill, Salcombe, TQ8 8LF

Proposed works: T103: Quercus Ilex - Crown raise to 2.5m from ground level to allow light. T104: Fagus Sylvatica - Remove to favour Scots Pine. T711: Acer Pseudoplatanus - Remove to favour Beech. T109: Quercus Ilex - Crown raise to 2.5m from ground for safety reasons. T110: Acer Pseudoplatanus - Remove to favour adjacent trees. T114: Quercus cerris - Crown raise to 3m from ground level to provide clearance. T115: Acer Pseudoplatanus - Crown raise to 3m from ground level to provide clearance. T116: Acer Pseudoplatanus - Remove for safety reasons. T145: Acer Pseudoplatanus - Remove Western limb from base due to decay. T146: Quercus Ilex - Crown raise on West, North & East sides to 2.5m from ground for safety reasons. Removal of self-seeded sycamore per plan as part of thinning operation.

Site assessed by	: L Marshall
Date	: 16/07/2021

Assessment

1.

Are the trees covered by a current TPO?

Yes

2.

Are some, or all, of the works exempt from the need for formal consent?

No

3.

Description of the tree(s) and location.

The subject trees form part of the wider woodland mosaic as protected by the recently served TPO. Some elements of the works are considered appropriate in the context of woodland management such as crown lifting and the felling of a defective stem to prevent harm to sound adjacent trees. Other elements are considered to be non-beneficial. The quality of trees protected by a woodland order will be different to general specimen amenity trees and as such cavities, torn bark, etc are seen as beneficial niche ecological attributes to be retained where ordinarily trees would be felled in a different setting.

To further the aims of positive woodland management the Local Authority would require a longer term woodland management plan to achieve required benefits.

Mindful of the above delegation has been sought, and granted from elected ward members as follows -

Dear Councillors,

We have received an application to undertake works as follows

Carry out work program at point 3 in report TR-BRI-21

Remove self-seeded young and semi mature sycamores per plan as part of thinning operation

T103 Quercus ilex Crown raise to 2.5m removing secondary branches to allow light under tree for glade

T104 Fagus sylvatica Remove to favour Scots pine

T711 Acer pseudoplatanus Remove to favour adjacent beech

T109 Quercus ilex Crown raise to 2.5m removing secondary branches safety reasons

T110 Acer pseudoplatanus Remove to favour adjacent trees

T114 Quercus cerris Crown raise to provide a 3m clearance from ground pruning only second or third order branches.

T115 Acer pseudoplatanus Crown raise to provide a 3m clearance from ground pruning only second or third order branches

T116 Acer pseudoplatanus Remove for safety reasons

T145 Acer pseudoplatanus Remove western limb from base

T146 Quercus ilex Crown raise to west, north and east to 2.5m for safety reasons

Replant per work program.

6 letters of Objection have been received

Summary of points of objection with my comments below in italics-

- The application does not accord with the Salcombe Neighbourhood Development Plan (SNPD), will impact the AONB, Ancient Woodland and affect adjacent Conservation Areas.

As part of the consideration of this and all applications matters of good arboricultural management are weighed against the impact on amenity as well as other material planning considerations where relevant. Given that it is my wish to refuse and allow lesser works as set out below, and encourage a longer reaching Woodland Management Plan I believe my suggested decision below will accord with all relevant policies whilst encouraging positive tree and woodland management.

- The works are not necessary and will degrade the effect of the Woodland and Area TPOs. *This is agreed to the main, however some minor works would be beneficial in terms of lifting lower branches to allow light into the woodland floor to enhance flora. Additionally the felling of the stem of T145 is necessary to prevent uncontrolled collapse and damage to adjacent trees. This will leave the dominant stem in situ with little, if any noticeable loss to amenity.*

- Insufficient images are included to allow accurate determination by the Authority *Further images may have been helpful but as I undertook a site visit as a matter of course this did not adversely affect my decision making ability.*

- The applications seeks to turn the woodland into a garden and promote sea views for the benefit of the owners, with the creation of a path adding to this.

These are matters the Local Authority is aware of as being a wish often unstated in some cases, however this has not been stated as a reason and I have made my recommendation based on the submitted reasons. In any eventuality as I wish to refuse the felling of most trees, this concern whilst understood is not applicable if members agree.

- Ownership is unclear in some places due to boundary inaccuracies on the supporting plan.

Ownership is a civil matter between parties and no part of the decision making process upon works to trees. Wildlife connectivity and woodland parcels often cross several tenures and an informative note is included within all decision notices detailing the requirement to get owner's permission prior to undertaking any works.

Proposed refusal with lesser works decision

1. Remove self-seeded young and semi mature sycamores per plan as part of thinning operation – **Refusal** due to lack of clarity as to which trees are proposed and a better vehicle for more sustainable woodland management would be a minimum 10 year woodland management plan.
2. T103 Quercus ilex Crown raise to 2.5m removing secondary branches to allow light under tree for glade – **Approval**
3. T104 Fagus sylvatica Remove to favour Scots pine – **Refusal**, the tree is not an exceptional specimen but does form part of the woodland mosaic. It is widely accepted that woodland trees are of lesser form than well-tended amenity trees and form or minor defects is not a reason to approve their removal.
4. T711 Acer pseudoplatanus Remove to favour adjacent beech – **Refusal** – As T104
5. T109 Quercus ilex Crown raise to 2.5m removing secondary branches safety reasons – **Approval**
6. T110 Acer pseudoplatanus Remove to favour adjacent trees – **Refusal** – As T104
7. T114 Quercus cerris Crown raise to provide a 3m clearance from ground pruning only second or third order branches. **Refusal with lesser works allowed for a crown lift to 2.5m from ground level.**
8. T115 Acer pseudoplatanus Crown raise to provide a 3m clearance from ground pruning only second or third order branches. **Refusal with lesser works allowed for a crown lift to 2.5m from ground level.**
9. T116 Acer pseudoplatanus Remove for safety reasons **Refusal**, I noted the defective stem had reaction wood forming on the side opposite the decay and it bears a small crown that grows cohesively and wind firmly with same age neighbours
10. T145 Acer pseudoplatanus Remove western limb from base – **Approval** – I observed only a thin ribbon of live wood keeping the large stem from collapsing onto adjacent trees with likely extensive damage if it were to be allowed to fail in an uncontrolled manner. The dominant stem will still remain to provide continuity of canopy cover.
11. T146 Quercus ilex Crown raise to west, north and east to 2.5m for safety reasons – **Approval**
12. Replant per work program. – **N/A** given refusal to thin saplings at this juncture.

4.

What is the amenity value of the tree(s)?

High en masse

5.

What impact will the works have on local amenity?

High, readily appreciable and of long term detriment to the visual landscape

6.

Do the proposed works accord with good arboricultural practice?

No in respect of all the works

7.

Is any damage likely to arise if consent is refused?

No – Based upon the information supporting the application

8.

Assessment. Give a succinct assessment of the application and appraisal of the proposed works considering the submitted justification.

Key points: See above

9.

Decision

Refusal with lesser works allowed

10.

Has the application been assessed in relation to Article 1, Protocol 1, Article 2 and Article 8 of the Human Rights Act. **Yes**

11. Tree Condition and decision summary- assess and refer to submitted application report.

Tree No.	Species	Height (m)	Spread (m)	Age Class	Life Expectancy	Condition	Assessment of Stated Reasons for Works
1							
2							
3							
4							
5							
6							
7							
8							

Key:

Species: Common name with botanical name in brackets where applicable

Height: Measured in metres (m) from ground-level. Where many trees are inspected, 1 in 10 trees are measured with the remainder estimated against the measured trees.

Spread: Measured in metres, the broadest diameter of the crown.

Age Class:	Life Expectancy:	Condition:
Young First 1/3 life expectancy <i>significant defects with a healthy crown</i>	S Short (<10 years)	Good Free from
Middle Age 1/3 to 2/3 life expectancy generally healthy crown	M Medium (10-40 years)	Fair Some defects,
Mature Final 1/3 life expectancy defects, poor general health and vigour	L Long (40 + years)	Poor Structural

Assessment of Stated Reasons for Works: Inspectors recommendation on whether the works should be REFUSED or APPROVED

The above report has been checked and the plan numbers are correct in APP and the officer's report. As Determining Officer I hereby clear this report and the decision can now be issued.

Name: L Marshall

Date:07/10/2021

