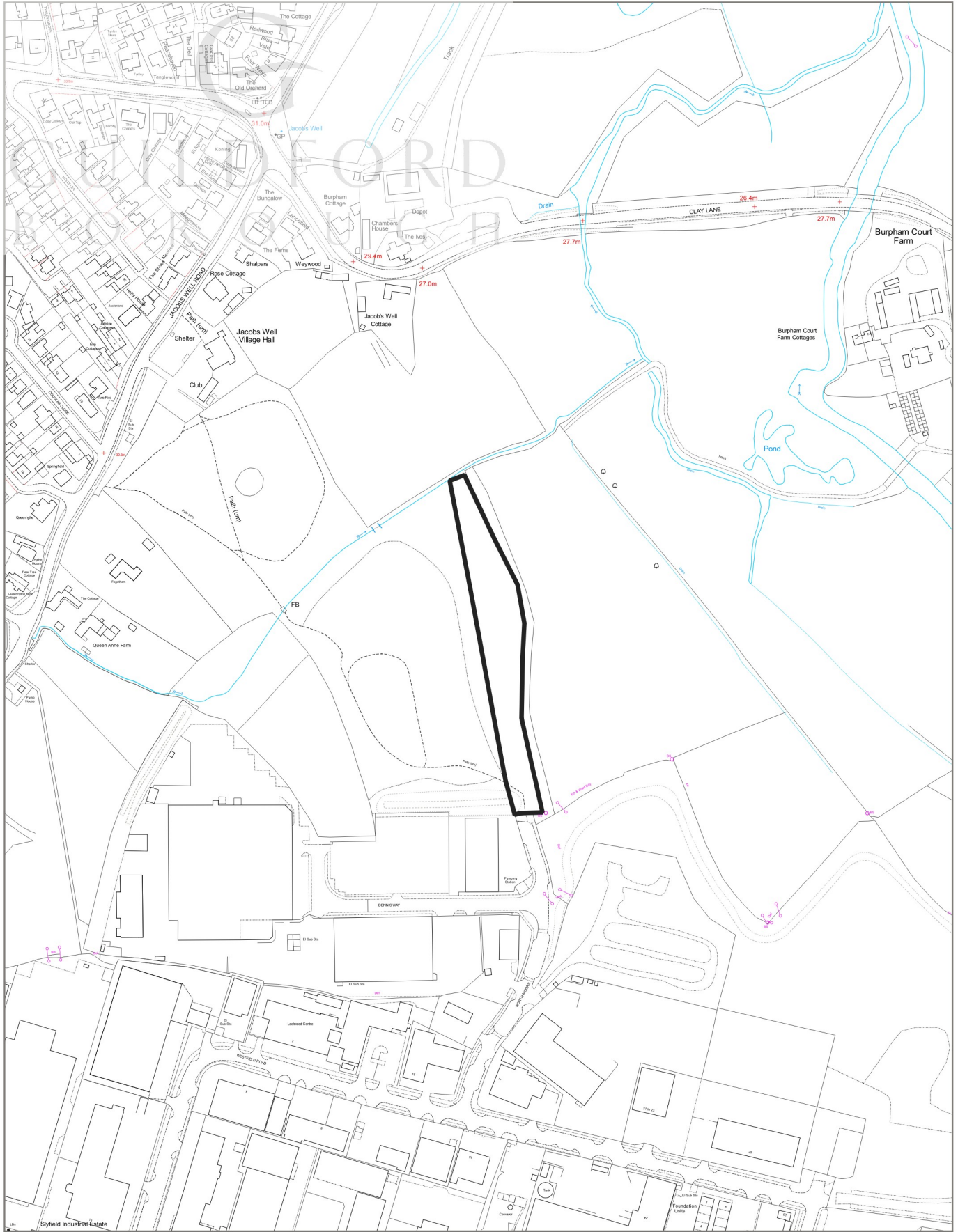


23/T/00021 - Land to the north of, North Moors, Worplesdon, Guildford, GU3



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Print Date: 11/05/2023



Not to Scale



App No: 23/T/00021
Appn Type: Tree Preservation Order
Case Officer: Tim Holman
Parish: Worplesdon
Agent :

8 Wk Deadline: 16/03/2023

Ward: Worplesdon
Applicant: Mr Berry
Guildford Borough Council
Stoke Park Nursery
Nightingale Road
Guildford
GU1 1ER

Location: Land to the north of, North Moors, Worplesdon, Guildford, GU3
Proposal: Works to trees as listed in tree schedule (Tree Preservation Order P1/201/266).

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because the trees are owned and managed by Guildford Borough Council Parks Department.

Key information

The application relates to six Ash trees and one Oak tree protected by TPO 4 of 1991. This is an Area Order protecting all trees that were present at the time the Order was served.

Summary of considerations and constraints

The proposed works to the six Ash trees are all safety related, due to both decay and the fungal disease commonly referred to as Ash dieback. All works are necessary in order to fulfill Guildford Borough Council's Duty of Care under the Occupiers' Liability Act 1957 & 1984.

The removal of deadwood from the one Oak tree does not require approval from the Local Planning Authority.

RECOMMENDATION:

Tree Works Approved With Conditions - subject to the following condition(s) and reason(s) :-

1. The tree works hereby consented must be completed within two years of the date of this permission and shall be carried out in accordance with the approved details.

Reason: To ensure the tree works are carried out within a reasonable timescale, taking into account the current health and condition of the tree(s) and their circumstances.

2. The tree works shall be carried out in accordance with the British Standard 3998:2010 Tree Work - Recommendations.

Reason: To ensure the tree works are carried out to an appropriate standard.

Informatives:

1. All works hereby approved should be carried out by a suitably qualified and insured tree surgeon. A copy of the decision notice should be given to the Tree Surgeon.
2. Deadwood may be removed at any time without an application.
3. Please be advised that the Wildlife and Countryside Act 1981 as amended, the Countryside and Rights of Way Act 2000 and The Conservation of Habitats and Species Regulations 2017 protect ALL wild birds, their nests (whether in use or being built) and eggs and other wild animals including bats and their roosts in or adjacent to trees.

Officer's Report

Site description.

Health and safety works to seven trees within small woodland belt adjacent to Slyfield Allotments. Site referred to as Land to the north of North Moors, Worplesdon, Guildford.

Proposal.

Works to trees as listed in tree schedule (Tree Preservation Order P1/201/266).

T1	Ash	Fell - retain high stump - monolith at approx. 12m.
T8	Ash	Reduce height of path side stem by approx. 2m.
T22	Ash	Fell - retain high stump
T23	Ash	Fell - retain high stump - monolith at approx. 6m.
T24	Ash	Reduce height by 2m.
T25	Ash	Reduce crown by 2m.
T27	Oak	Deadwood.

Relevant planning history.

Tree preservation Order No.4 of 1991. Area Order affording protection to Broadleaf trees in situ at time Order was made.

Consultations.

Parish Council

No comments received from Worplesdon Parish Council.

Third party comments:

One letter of representation have been received raising the following objections and concerns:

- Works to trees should have been included in the Tree Protection Plan submitted with the planning application 20/P/00197. The Tree Protection Plan was put in place to stop any further destruction of trees that were not within the allotment plan.
- The trees at North Moors are occupied by wildlife protected by the Wildlife and Countryside Act. Risk of damage to nest sites.
- Secretary of State should be overlooking this planning application to work on the trees. Guildford Borough Council applying for planning within its own department is a blatant conflict of interest, and therefore the Secretary of State should step in here.

Planning considerations.

When deciding an application for works under a TPO, local authorities are advised to:

- assess the amenity value of the tree(s) or woodland and the likely impact of the proposal on the amenity of the area;
- consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;
- consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;
- consider whether any requirements apply in regard to protected species.

In general terms, it follows that the higher the amenity value of the tree or woodland and the greater any negative impact of proposed works on amenity, the stronger the reasons needed before consent is granted. However, if the amenity value of the tree/s is low and the impact is likely to be negligible, it may be appropriate to grant consent even if there is no particular arboricultural need for the work.

The proposed works to the six Ash trees are all safety related, due to both decay and the fungal disease commonly referred to as Ash dieback. All works are necessary in order to fulfill Guildford Borough Council's Duty of Care under the Occupiers' Liability Act 1957 & 1984.

Where trees are proposed to be felled, where possible, rather than cut ground level, main stems will be left as monoliths that will rot and decay in a safe manner and provide habitat for a variety of species.

The removal of deadwood from the one Oak tree does not require approval from the Local Planning Authority.

In response to third party concerns:

- This tree works application is not related to the planning application 20/P/00197. A Tree Protection Plan was produced as part of the application 20/P00197 to afford the necessary protection to woodland belt during land use changes following the approval of the allotment site development. The tree works proposed is this Tree Works Application, follow on from a visual tree assessment of the health and safety of trees in this small woodland belt.
- All works to trees should conform to all Acts of Parliament and regulations protecting wildlife and habitats. An informative is always included to remind applicants of their duty to protect wildlife when actioning tree works.
- This application will be determined by the Borough Planning Committee rather than a delegated officer decision as the woodland is owned and managed by Guildford Borough Council and the Tree Preservation Order is administered by the planning department.

I am satisfied that no loss or damage is likely to be incurred as a result of the works being granted consent.

With regards to protected species it is important that the relevant wildlife protection laws are observed and informatives to this effect can be included with the consent.

There is adequate broadleaf natural regeneration, and there for a condition requiring tree planting is not required in this instance.

Conclusion.

Consent to necessary health and safety works, subject to conditions.