

DELEGATED REPORT

Application No: P/20/0260

Site Address: Land Adjacent To 80 Westwood Drive
Treharris

Development: Remove deadwood, snapped branch and carry out partial crown reduction (by approximately 4 metres) of Beech tree

Case Officer: Tom Bramley

Application Expiry Date: 28th December 2020

APPLICATION SITE

The application site is for 80 Westwood Drive Treharris CF46 4BL.

PROPOSED DEVELOPMENT

The application site is forms part of woodland covered by Tree Preservation Order (TPO/2019/009) 2019 at Woodland north of Goitre Coed, Treharris. This application is for the removal of deadwood and a snapped branch. Partially crown reduce a number of branches overhanging the property of 80 Westwood Drive by approximately 4 metres. 1No Beech (*Fagus sylvatica*) located close to the property of 80 Westwood Drive.

CONSULTATION

The Council's Landscape Architect and Ecologist have met on site with the tree surgeon charged with executing the work. Guidance and advice to ensure that the works do not affect protected species have been taken into account. In this regard a Roosting Bat and Nesting Bird Method Statement has accompanied the tree report.

The site on which the tree is located is in the ownership and management the Woodland Trust. The issues surrounding the tree in question should be discussed with the tree owner before works commence. Under established 'common law' it is possible to prune branches that grow over your boundary, with or without the owner's consent. The applicant should take 'reasonable care' whilst undertaking the works and may be liable for damage of the neighbour's tree, or cause it to become unstable. The parts cut off from the tree remain the property of the tree owner, so they should be offered back.

A tree condition survey was submitted by Paul Cleaver Cert Arb L6 (ABC), MArborA, CUBS.

The tree is described in the report as:

'A high value mature tree growing on steeply sloping ground adjacent to property boundary. Single stem dividing into 4 significant stems at 1.5m. Building materials from property's driveway construction tipped around base and ground levels altered; top layer of ground easily displaced. East half of crown extends over property of 80 Westwood Drive. Deadwood in crown, 75mm diameter x 4.5m long, and snapped hung-up branch over driveway. Good bud density throughout crown with some foliage in autumn colour still attached. No critical defects observed, tree appears healthy with good vitality.'

PUBLICITY

N/A

POLICY CONTEXT

Planning Policy Wales

Paragraph 5.2.9 states:

'Trees, woodlands and hedgerows are of great importance, both as wildlife habitats and in terms of their contribution to landscape character and beauty. They also play a role in tackling climate change by trapping carbon and can provide a sustainable energy source. Local planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality'.

Paragraph 5.2.11 points out that 'local planning authorities should, as appropriate, make full use of their powers to protect'.

Relevant guidance:

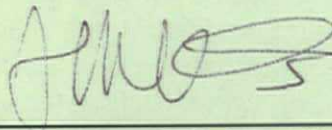
Technical Advice Note (TAN) 10: Tree Preservation Orders (1997)

PLANNING CONSIDERATIONS

The proposed works will have a net beneficial effect on the woodland TPO and are consistent with good management practice.

RECOMMENDATION: APPROVED

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

5/11/20