

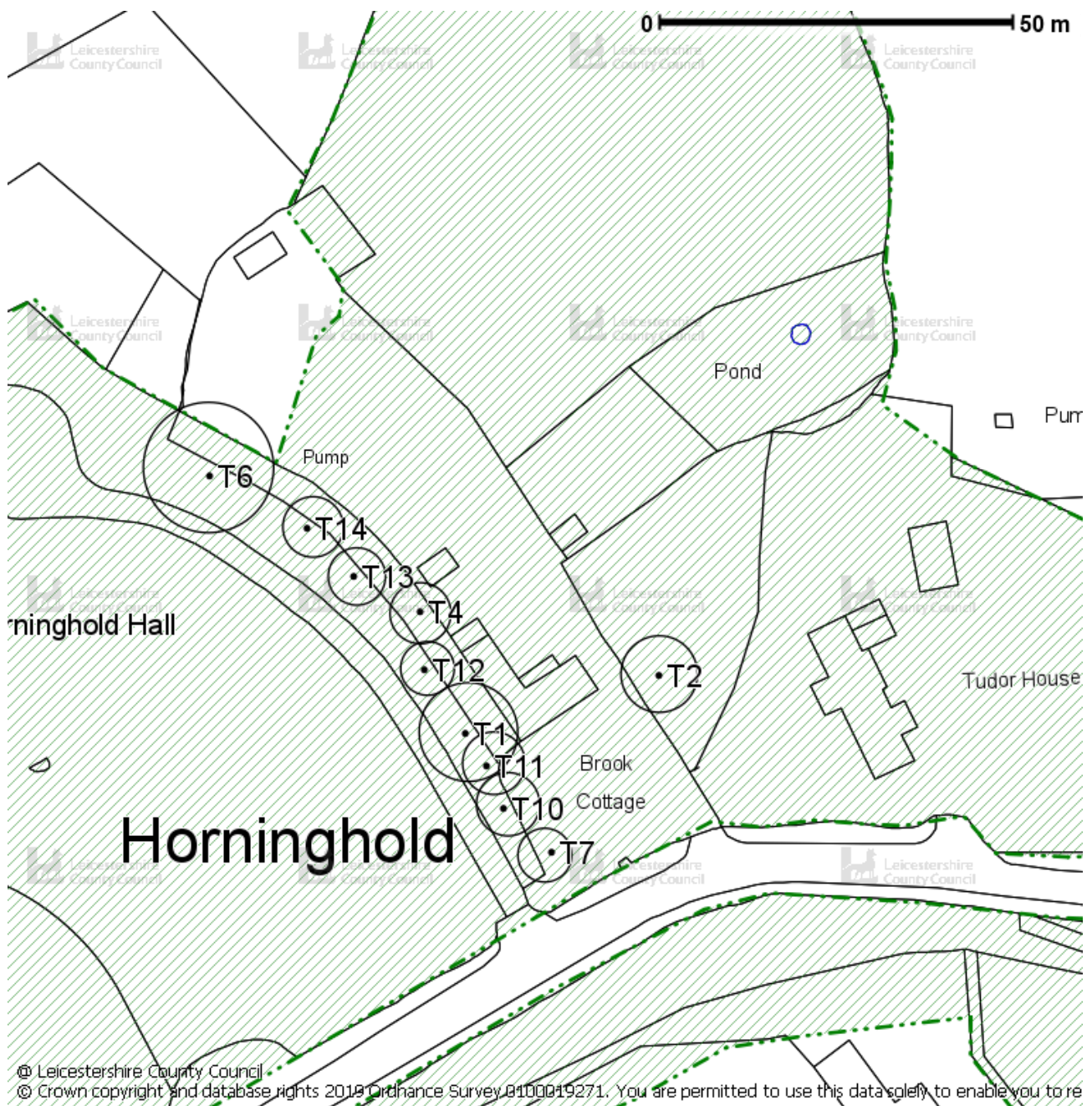


DEVELOPMENT CONTROL AND REGULATORY BOARD

14th NOVEMBER 2019

LEICESTERSHIRE COUNTY COUNCIL HORNINGHOLD TREE PRESERVATION ORDER AND YEAR 1973

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT



Purpose of Report

1. To consider an application by Mr. Presland of Brook Cottage, Hallaton Road, Horninghold to fell a Douglas fir T2, a Portuguese laurel T4 and a yew tree T7 and crown reduce a sycamore T1 by up to 2.0m and crown raise by 3.0m and crown reduce a yew T11 by up to 2.0m and raise the crown to 3.0m and raise the crown of a beech T6 to 6.0m and raise the crowns of 3 yew trees T10, T13 & T14 and a Portuguese laurel T12 to 3.0m.

Background

2. The 10 trees are included in a 3.29ha Area Order that includes conifer and broadleaf trees located in the gardens of 5 residential properties on Hallaton Road.
3. The original proposal to fell the sycamore T1 and yew T7 has been amended so that instead of felling the trees it is proposed to crown reduce the sycamore T1 by up to 2.0m overall and crown raise by 3.0m and crown reduce the yew T9 by up to 2.0m overall and raise the crown to 3.0m. The proposal to fell 2 Lawson cypress trees T3 has been withdrawn.
4. The property Brook Cottage is in the Horninghold Conservation Area.
5. Planning consent 17/00127/FUL was granted by Harborough District Council on the 6th July 2017 for the erection of a two-storey rear and side extension; erection of a detached garage and plant room at Brook Cottage, subject to the conditions that a scheme of hard and soft landscaping and an Arboricultural Method statement are submitted.
6. The application 19/01068/PCD to discharge the Condition 3 landscape plan and Condition 4 the Arboricultural method statement planning has been approved by Harborough District Council.
7. The application was submitted by the Agent Mr. Lee Overton of Rutland Tree Care, 7, Spinney Lane, Stretton, Rutland LE15 7RB.
8. Consent was granted by the Development Control and Regulatory Board on the 13th September 2018 to fell the group of 3 Lawson cypress trees G1, the cherry plum T5 and the apple tree T7 and raise the crowns of the western red cedar T1 and Lawson cypress T2 by 4.0m, raising the crown of the Lawson cypress T4 by 5.0m and removing the basal shoots of the Cappadocian maple T8. This work has been carried out.
9. The sycamore T1, beech T6, 4 yew trees T10, T11, T13 & T14 and Portuguese laurel T12 are in the ownership of Horninghold Hall. The owners of the Hall have agreed to the proposed works.
10. The Applicant has applied to Harborough District Council to fell a young juniper tree and 2 early mature Lawson cypress trees protected by the Horninghold Conservation Area located on the west boundary of Brook Cottage. This application has not yet been determined.

Consultations

Borough Council

11. Harborough District Council have withdrawn their objection to the initial proposal and have discharged the landscaping scheme submitted as Condition 3 on the planning application 19/01068/PCD.

Parish Council

12. Horninghold Parish Council has objected to the proposal stating it is not justified to remove protected trees to allow the establishment of a new boundary hedge and that the removal of trees will result in loss of amenity in the village.

Local Member

13. No comments received.

Local Residents

14. An objection to the proposal has been received from residents at Cedar Cottage East Norton Road Horninghold stating that the removal of trees on the site would have a negative impact on the street view of Brook Cottage.
15. An objection to the proposal has been received from a resident at Horninghold House, Hallaton Road, Horninghold stating that the removal of trees on the site would have a disastrous impact on the street view of Brook Cottage, reduce the impact that the trees are having offsetting carbon and that the proposal could clear the site for subsequent planning applications.
16. An objection to the proposal has been received from a resident at Spring House, East Norton Road, Horninghold stating that the removal of trees on the site is not justified as the trees are not diseased or causing damage to the property and the planting of a boundary hedge is insufficient reason to remove trees.
17. An objection to the proposal has been received from residents at The Old Rectory, Hallaton Road, Horninghold stating that the removal of trees on the site is not justified as the trees are not diseased or causing damage to the property and the planting of a boundary hedge is insufficient reason to remove trees.
18. An objection to the proposal has been received from a resident at Bridgeford House Hallaton Road Horninghold stating that Horninghold is a planned village and that the trees were planted as part of the design of the village. There is no justification in felling trees that are healthy and not causing damage to buildings. The removal of mature and healthy trees is against the principles of LCC Environment Strategy 2018-2030. The removal of trees on the site would have a negative impact on the street scene in the Conservation Area.
19. An objection to the proposal has been received from a resident at Tudor Cottage Hallaton Road Horninghold stating that the removal of trees on the site would have a negative impact on the privacy of Tudor House. The removal of trees should be justified by the condition of the tree rather than any planning conditions.

20. An objection to the proposal has been received from a resident at Globe House East Norton Road Horninghold stating that there is no justification for the removal of healthy trees on the site that are not causing damage to buildings. The historic landscape features of the Conservation Area need to be protected and enhanced not destroyed.

Issues

21. The Applicant wishes to fell the Douglas fir T2 that is in poor condition with a limited life expectancy, a Portuguese laurel T4 and a yew tree T11 that are on the western boundary of the property to improve light conditions to the property and provide sufficient space to plant a new beech boundary hedge. It is also proposed to crown reduce a sycamore T1 by up to 2.0m and crown raise by 3.0m, and crown reduce a yew T9 by up to 2.0m and raise the crown to 3.0m to provide clearance from the existing cottage and the approved extension. Permission is also requested to raise the crown of a beech T6 to 6.0m and raise the crowns of 3 yew trees T10, T13 & T14 and a Portuguese laurel T12 to 3.0m to allow clearance for the approved extension and the planting of a beech boundary hedge that is part of the approved planning application 17/00127/FUL and the landscaping conditions set out in application 19/01068/PCD.
22. The Douglas fir T2 is located adjacent to the driveway, 10.0m to the east of Brook Cottage and 35.0m from the public highway Hallaton Road. It has a stem diameter of 72cm and a height of 20m. The main stem has broken out in the past and has formed 3 co-dominant leaders that are weakly attached to the main stem. The foliage in the crown is in poor physiological condition and the tree is in decline. The tree has a safe life expectancy of less than 20 years. The tree can be viewed from the public highway.
23. The Portuguese laurel T4 is located on the bank on the west boundary of the property 6.0m from the rear of Brook Cottage and 48.0m from the public highway. It has a stem diameter of 50cm and a height of 10.0m. The main stem has pockets of decay at the base. The tree is not visible from the public highway.
24. The yew T7 is located on the west boundary 9.0m from the public highway and adjacent to the lawn. The tree has 4 main stems diameter of 25cm and a height of 4.0m. The tree is partly visible from the highway.
25. The sycamore T1 is located on a bank on the west boundary of the property 3.0m from the gable end of Brook Cottage and 30.0m from the highway. The tree has a stem diameter of 49cm, height of 17.0m and crown spread of 15.0m. The shade cast by the crown when in leaf causes dense shade and the growth of moss on the roof of the property. The tree is visible from the highway.
26. The yew T11 is located on a bank on the west boundary of the property 3.0m from the gable end of Brook Cottage and 25.0m from the highway, with a stem diameter of 49cm, crown spread 9.0m and height of 14.0m. The shade cast by the crown causes dense shade and the growth of moss on the roof of the property. The tree is visible from the highway.
27. The mature beech T6 and the 3 yew trees T10, T13 & T14 and a Portuguese laurel T12 are located on the west boundary of the property 80.0 to 20.0m from the highway. The foliage of the 4 trees is in good physiological condition with low

crowns that cast dense shade in to the property. The 4 trees are partly visible from the highway.

28. The site is stocked with over 30 protected mature and semi mature trees, hazel and laurel shrubs. The landscape proposal includes planting a beech boundary hedge between Brook Cottage and Horninghold Hall and planting over 70 new trees including beech, oak, hornbeam, wild cherry and yew in the open grass area to the rear and east of the property.

Equality and Human Rights Implications

29. There are no discernible equality and human rights implications.

Conclusion

30. The Douglas fir T2 has 3 potentially weak co-dominant leaders that should they fail would breakout on to the driveway. The tree has a limited safe life expectancy and is of low amenity value. The removal of the tree will have a negligible detrimental impact on the amenity of the area.
31. The Portuguese laurel T4 is of poor form with decay pockets in the main stem. The tree casts a dense shade and would prevent the establishment of a new beech hedge. The removal of the tree would have no detrimental impact on the amenity of the area.
32. The yew T7 is of poor form and low amenity value. The tree casts a dense shade and would prevent the establishment of a new beech hedge. The removal of the tree would have negligible detrimental impact on the amenity of the area.
33. The proposed crown reduction of a sycamore T1 by up to 2.0m and crown raise by 3.0m and crown reduce a yew T11 by up to 2.0m and raise the crown by 3.0m will improve light conditions to the exist cottage, the approved rear extension and the establishment of a new beech hedge. The work will have no detrimental impact on the amenity of the area.
34. The proposed crown raising work to the beech T6 and 3 yew trees T10, T13 & T14 and a Portuguese laurel T12 will provide improved light conditions to the property, allow clearance for the new rear extension and enable the establishment of a new beech hedge. This work will have no detrimental impact on the amenity of the area.
35. There is sufficient space and light on the east open area of the property to plant 3 replacement trees of suitable species as standards 2.5 to 3.0m in height 8/10cm girth such as beech, oak, hornbeam or wild cherry.

Recommendations

36. It is recommended that Consent is granted to fell the Douglas fir T2, Portuguese laurel T4 and yew T7, crown reduce a sycamore T1 by up to 2.0m and crown raise by 3.0m and crown reduce a yew T11 by up to 2.0m and raise the crown by 3.0m and raise the crown of beech T6 to 6.0m and 3 yew trees T10, T13 & T14 and a Portuguese laurel T12 by 3.0m.

37. This recommendation is subject to a condition for the planting of 3 replacement trees of suitable species as standard 2.5 to 3.0m in height 8/10cm girth such as beech, oak, hornbeam or wild cherry in the next planting season November 2019 to March 2020. Should a replacement tree die within 5 years a new replacement tree of the same species must be planted.

Reason for Recommendations

38. The Douglas fir T2 is potentially dangerous and has a limited life expectancy.
39. The Portuguese laurel T4 and yew T7 are of poor form and the shade cast by the trees would prevent establishment of the new beech hedge.
40. The crown reduction of the sycamore T1 by up to 2.0m and crown raise by 3.0m and crown reduction of the yew T11 by up to 2.0m and raise the crown by 3.0m will improve light conditions to the exist cottage, the approved rear extension and the establishment of a new beech hedge
41. The crown raising work to beech T6 to 6.0m and 3 yew trees T10, T13 & T14 and a Portuguese laurel T12 by 3.0m is to provide sufficient light to allow the construction of the new extension and the establishment of a new beech boundary hedge.

Background Papers

The background papers used in the preparation of this report are held on Environment and Transport File No. 2019/TPO/0100/LCC.

Circulation Under the Local Issues Alert Procedure

Mr. S. J. Galton CC

Officers to Contact

Mr. Andrew Shaw
Landscape Officer
Environment and Transport Dept.
Tel. 0116 305 7061
Andrew.shaw@leics.gov.uk

APPENDIX 1 PHOTOGRAPHS OF TREES

Sycamore T1 and yew T11



2 yew trees T13 & T14 shading boundary adjacent to gable end of Brook Cottage and site of proposed extension.



Yew T7 & T10 viewed from Hallaton Road



Douglas fir T2 viewed
from Hallaton Road



Douglas fir T2 showing 3
co dominant leads



Yew T7 & T10 viewed
from driveway across
front lawn



Portuguese laurel T4



View of main stem of
Portuguese laurel T4
with broken branch and
decay pockets



Portuguese laurel T4



Portuguese laurel T12 on
boundary line



2 yew trees T13 and T14
Portuguese laurel T12



Sycamore T1 and yew
T11 viewed from rear
garden