

## PLANNING APPLICATION REPORT: DELEGATED APPROVAL

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**Application No.** 19/00248/TPO  
**Parish:** Kirkbymoorside Town Council  
**Applicant:** Grace Lane Vets  
**Location:** Land Off New Road Kirkbymoorside  
**Proposal:** Fell T1 Horse Chestnut and crown reduce by 4m T2 and T3 Horse Chestnuts all of TPO 322/2009

### CONSULTATIONS:

**Kirkbymoorside Town Council** Prefer for tree not to be felled- request a second opinion

**Neighbour responses:** None received

**Overall Expiry Date:** 25 March 2019

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### POLICIES:

Local Plan Strategy - Policy SP15 Green Infrastructure Networks

National Planning Policy Framework  
National Planning Practice Guidance

### PROPOSAL:

Fell T1 Horse Chestnut and crown reduce by 4m T2 and T3 Horse Chestnuts all of TPO 322/2009

### APPRAISAL:

#### Consultations- Town Council

It is not clear why it is necessary to fell T1 Horse Chestnut. The Planning Committee would like to request that a second opinion be sought from Don Davies, Ryedale District Council Tree and Countryside Officer, as it would be preferable for the tree not to be felled.

#### Site

The site is within Kirkbymoorside and is a site which has undergone redevelopment from the site of a former factory to a veterinary centre which is to the immediate east of the trees subject of this application.

The Trees of this application were made subject of a TPO in 2009, TPO reference 332/2009. They are three mature horse chestnut trees, and were made subject of a TPO due to their considerable amenity contribution and their threat due to the clearance of the site and original scheme for housing development which was only then implemented in part.

#### Proposal

Permission is sought to undertake the following works:

T1- fell

T2- crown reduction of 4m

T3- crown reduction of 4m

## History

No relevant history since the TPO was made on the Trees.

## Key considerations

The trees have significant amenity value, as recognised formally by the TPO status.

T1 – Independent arboricultural assessment has confirmed that the tree is “as described in the report”.

*“The tree was subjected to a Quantified Tree Risk Assessment (QTRA) in order to assess the risk it presents, and to determine the most appropriate way forward. The QTRA survey result quantified the current risk to be 1:40,000. Given the general condition of the tree and the apparent rate of deterioration it would be fair to say that the prospect of the tree’s failure and the associated risk is currently within tolerable limits. That said, the situation is not going to improve, so removal will be necessary at some point in the relatively near future.*

*I therefore have no objection to the proposal to remove this tree at this time, but would recommend it is immediately replaced. The replacement should also be subject to a TPO.*

*Given the location and proximity of the new building I would recommend a heavy standard Silver Birch or a Hornbeam.”*

On that basis it is considered that whilst the tree is not subject to any imminent structural or safety issues, the tree’s structural integrity is very much weakened, and that removal will be necessary in the near future. The felling of the tree is therefore reasonable, subject to the planting of a suitable replacement and that would be conditioned.

*T2 - The tree is as described in the report.  
I recommend removal of dead wood and a 20% crown reduction.*

*T3 - The tree is as described in the report.  
I recommend removal of dead wood and a 20% crown reduction.*

It is noted that the application proposed a crown reduction by at least 4 metres, to established joints in line with best practise. The independent appraisal has identified a 20% reduction in each crown as being acceptable. This would result in a length of limb removal which is no more than 20% of its original length- helping the existing shape and form to be retained, which is more appropriate to the amenity value of the trees, and their general health.

## Conclusion

The application to fell T1 is conditionally approved, and that a condition is imposed which requires in the planting season following the felling that a replacement tree is planted of a species and size which has been previously approved in writing by the Local Planning Authority.

A crown reduction to T2 and T3 are also approved, but with the condition requiring that no more than 20% can be removed from each limb.

## RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 The Details of a replacement standard tree of a suitable species and habit shall be submitted to and approved in writing by the Local Planning Authority. Following the hereby approved

felling, that so approved replacement tree shall be planted in the location of the felled tree and undertaken in the next available planting season. The Local Planning Authority shall be informed of the planting and the TPO 322/2009 TPO will be amended to cover the replacement tree.

Reason: In the interests of the long term character and appearance of the area accordance with statutory requirements.

- 3 The cutting back of branches and removal of dead wood shall be undertaken in accordance with BS 3998:2010 Tree work. Recommendations.

Reason: In the interests of good arboricultural practise and visual amenity.

- 4 The crown reduction shall not result in a reduction in any length of any limb by more than 20% of its original length.

Reason: to retain the overall form and shape of the trees. In the interests of good arboricultural practise and visual amenity.

**SIGNED:**



**Head of Planning**

**Date:**

2. 9. 19