

North Tyneside Council

Report to Planning Committee

Date:

ITEM 6

Title: Holywell
Engineering, Station
Road, Backworth, Tyne
and Wear Tree
Preservation Order 2017

Report from Directorate: Environment, Housing and Leisure

Report Author: Phil Scott Head of Environment, Housing and Leisure (Tel: 643 7295)

Wards affected: Valley

1.1 Addendum

1.2 Information

- 1.2.1 Since the completion of the Tree Preservation Order (TPO) report further correspondence has been received from the land owner in support of the removal of a further 4no. trees from the site subject of this Order. The trees are identified as T1 Sycamore (Group 1) and T78 Sycamore, T79 Sycamore and T80 Sycamore (Group 3).
- 1.2.2 The landowner has advised that the dangerous trees identified above have previously been inspected by the Council's Landscape Architect. She requested for the ivy to be removed from these trees in order for them to be properly inspected. The landowner has advised that after the removal of the ivy it has revealed the trees have extensive rot and cavities. The landowner has advised that these dangerous trees are included within their current application for felling to North Tyneside Council and are now subject of this Order.
- 1.2.3 The landowner has advised in previous correspondence that they already have a tree within G3 which had fallen. They have advised that this did not injure anyone but damaged one of the outbuildings. On another occasion a tree had fallen across Station Road, Backworth, completely blocking the road and causing a serious hazard which was reported to the police. They are therefore concerned about the liability, especially as one of the trees which they are requesting to fell is on the boundary of Station Road (T1). They consider that if this tree was to fall, it could fall across Station Road potentially causing a very serious accident.
- 1.2.4 The landowners appointed tree surgeon has advised that T79 has a small split which has decaying wood in the base of tree. T80 has a larger split wound at base with decaying wood. They have advised that T80 needs to be removed under safety grounds and that they cannot see that T79 will recover from wound and should be felled. There are 3 trees in this group and if one is felled the whole group may become unbalanced as well as an eyesore therefore felling all 3 trees would be necessary. The tree surgeon has advised that they originally asked for these trees to be felled under safety grounds and would put the onus onto the council if refused. One tree fell two years ago that was part of this group through similar wounds and decay.
- 1.2.5 The landowners tree surgeon has also assessed T1. This tree is sited at the front entrance near the wall and Station Road. They have advised that this tree has a co

dominant stem and also a poor sparse crown. They consider that the tree is unsafe, and in their opinion the union is very likely to fail as it is a category v rather than a category u, Stage 2-3 in risk category.

- 1.2.6 Members are advised that this additional information has been assessed by the Council's Landscape Architect.
- 1.2.7 Since the removal of the ivy to the base of a mature sycamore tree (T1) a more detailed inspection has been undertaken. The information received by e-mail confirms that the tree is co-dominant and in their opinion, has a high risk of failure.
- 1.2.8 In assessing the tree, not all co-dominant trees are considered dangerous and it is the type of branch union coupled with other structural considerations that determines this. No indication has been given to other physiological or structural issues such as cracking, disease or ill health but the deciding factors here are the presence and location of included bark at the branch union to the base of the tree (not mentioned in the report but can be seen from the submitted photograph), the high target area next to a road and limited longevity. Quite often alternative methods such as cable bracing and /or crown reduction can retain the tree in a safe manner, although in this case, crown reduction is considered only a short-term solution as the compensatory regrowth will add weight to an already weak branch union and the target area will remain unchanged. In this case, the sycamore tree T1 can be removed.
- 1.2.9 In order to maintain the integrity of the TPO, a replacement tree is required to be planted. The tree should be a minimum heavy standard sycamore with a stem diameter of 12-14 cm at the time of planting and should be planted within G1 in the current location identified as T1. The replacement planting shall be undertaken in the first available planting season following removal.
- 1.2.10 There are 3 sycamore trees growing in close proximity to each other on the eastern boundary of the site. These trees are identified as T78, T79 and T80 within G3. They contribute visually to the local area and can be seen from public areas on Station Road (they can be seen above the roofline of Holywell Engineering notable in the landscape by the presence of ivy in the crown) and from public areas to the east of Holywell Engineering and therefore has a high degree of visual prominence. This grouping of three trees appear as one large tree when in full leaf. Their presence is part of wider grouping of trees offering a degree on enclosure, screening, amenity and connectivity with the wider site and contributing to the leafy character of the local area.
- 1.2.11 Two of the trees have been identified with wounds to the base. It has already been established that the trees are not considered imminently dangerous where an application is not required (5-day notice). However, based on the information provided, there is no detail that establishes the level of decay, how much structural integrity has been lost due to the presence of the decay, if the trees are deemed unsafe as a result or any detail of its remaining safe useful life expectancy – all which would help determine their condition, safety and justification for removal. Furthermore, is it not sufficient to say that the third tree should be removed because it will become 'unbalanced as well as an eyesore'.
- 1.2.12 Any reasons given to justify the removal of a protected tree(s) need to be conclusive. The trees, even with the wound, have retained their vigour. To assess the extent of any decay, a method using a PICUS or sonic tomography, which is a non-invasive inspection, can determine the health and any risk associated with the tree. Until then the tree should be monitored on a regular basis with a further inspection later in the year.

1.2.13 Furthermore alternative options to removal, such as pruning have not been offered or considered and consequently, there is insufficient evidence to justify the removal of the trees on grounds of safety at this current time.

1.3 Decision options:

1. To confirm the Tree Preservation Order with no modifications.
2. To confirm the Tree Preservation Order with modifications.
3. To not confirm the Tree Preservation Order.

1.4 Reasons for recommended option:

Option 1 is recommended. A Tree Preservation Order does not prevent the felling of or works to trees, but it gives the Council control in order to protect trees which contribute to the general amenity of the surrounding area.

1.5 Contact officers:

Maxine Ingram (Tel: 643 6322)

1.6 Background information:

The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author:

1. Town and Country Planning Act 1990.
2. Planning Practice Guidance (As amended)
3. The Town and Country Planning (Tree Preservation) (England) Regulations 2012

Report author Maxine Ingram