

2 Christ Church Road, Epsom, Surrey. KT 19 8NE

Ward:	Stamford Ward
Site:	2 Christ Church Road Epsom Surrey KT19 8NE
Application for:	T1: Holm Oak (Surrey Highways) - Reduce lateral branches overhanging No2 by up to 3m to boundary fence line. T3: Purple Leaf Plum - Crown reduce by up to 2m. Crown thin 20%.
Contact Officer:	Jeremy Young

1 Plans and Representations

- 1.20 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <https://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QVIMU WGYL3B00>

2 Summary

- 2.20 This is a Councillor Tree Works Notification reported to Planning Committee.

3 Site description

2. 2 Christchurch Road is a detached, much extended, chalet bungalow situated within the Stamford Green Conservation Area. The bungalow faces out over Stamford Green and is set on a corner plot adjacent to Manor Green Road. The rear boundary abuts 172 Manor Green Road to the north and the west boundary adjoins 4 Christchurch Road. Located to the side of No.2, in the highway verge of Manor Green Road, is the mature Holm Oak tree which is subject of this notification, numerically designated T1. The Holm Oak stands adjacent to a middle-aged Wild Plum also located in the highway verge but not subject to this conservation area tree work notification.
3. The verge is deemed to be part of the public highway as Manor Green Road is classed as public highway and not a private road.
4. Located in the front garden is the second tree listed in the notification as T3, which is a mature Purple Leaf Plum.

5. The Holm Oak, because of its larger size and prominent position, is a notable tree in the landscape. Manor Green Road has a fine collection of mature street trees most noticeably Lime trees. Visually, as one of the first street trees encountered as you enter the road, the Holm Oak is eye-catching and it reinforces the composition of street trees to provide an attractive mature treescape.

4 Proposal

6. Trees in a conservation area that are not protected by a Tree Preservation Order are protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the local planning authority, using a section 211 notice, 6 weeks before carrying out certain work on such trees, unless an exception applies.

7. The proposed tree work specified in this section 211 notice are stated below:

T1 - Holm Oak – Reduce lateral branches overhanging No.2 by up to 3m to the boundary fence line.

T3 - Purple Leaf Plum - Crown reduce by up to 2m. Crown thin 20%.

8. It should be noted that the Wild Plum on the verge is marked as T2 on the notification plan. Tree work to this tree does not form part of this notice as the intended tree work was just removal of dead wood which is one of the exception. This tree also has some stem decay.

5 Comments from third parties

9. No comments have been received from any third parties.

6 Consultations

10. Surrey County Council Highways were notified of this tree work proposal as the Holm Oak is located on the highway verge. No comments were made by Surrey County Council.

Application number	Decision date	Application detail	Decision
21/00807/CAT	12/05/2021	T1: Holm Oak (Surrey Highways) - Reduce lateral branches overhanging No2 by up to 3m to boundary fence line. T3: Purple Leaf Plum - Crown reduce by up to 2m. Crown thin 20%.	Withdrawn (application did not specify the applicant was a Borough Councillor)
20/01543/FLH	15.12.2020	Single storey rear-side extension Proposed two storey rear extension, 1st floor side extension, and conversion of existing dwelling to provide 4 No. 2 bed flats and 1 No. 1 bed flat, including parking and landscaping	Permitted
05/00160/CAT	09.08.2005	Felling of two Lawson Cypress	No Objection

7 Planning Policy

National Policy Planning Framework (NPPF) 2021

Core Strategy 2007

Development Management Policies Document November 2015

CS3	Biodiversity and designated nature conservation areas
CS5	The built environment
DM4	Biodiversity and new development
DM5	Trees and landscape
DM8	Heritage assets
DM9	Townscape character and local distinctiveness

7 Planning Considerations

Background

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- The Borough Tree Officer undertook a site inspection before the six-week expiry of this current notification (application number 21/01120/CAT) on 11/08/2021 and observed that the tree work specified had already been undertaken. It is understood that the tree work was undertaken on either the 9th or 10th August 2021 before the six week notification period had elapsed.

Tree details and the impact of the works on visual amenity

12. The Holm Oak is a mature specimen of 15m height with a stem diameter of approximately 782mm measured at 1.3m above ground level. It is estimated that the tree is about 70 years old. It is in a good condition. However, the lateral crown of the Holm Oak has been reduced in the direction of No.2 in the past and the crown has become historically asymmetrical.
13. This tree work to reduce all the branches back to the boundary constitutes poor arboricultural practice. The work is excessive and has further unbalanced the crown of the tree. Current crown radius on the four cardinal points of the compass measures; north 7.6m, south 9.5m east 9m and west 1m. The tree work has caused a negative impact on landscape amenity because the tree looks misshapen. Such work might encourage other to undertake similar tree work which is contrary to the promotion of good standards of arboriculture. There does appear to be a very localised trend in this area of pruning which is leaving neighbouring trees unbalanced.
14. In considering tree work notifications within the conservation area the only options available to the Planning Authority are to block the works by making a Tree Preservation Order or to raise no objection.
15. Officers advise that despite the pruning causing unbalance to the Holm Oak tree the actual harm to public landscape amenity is not that significant because from most angles in the public realm the canopy looks intact. Officers believe it would be difficult to justify making a tree preservation order under these circumstances but there is nothing in the legislation to prevent the making of a tree preservation order if deemed necessary. There is a minor degree of seasonal nuisance from the overhanging branches encroaching towards the conservatory and overhanging the garden decking area. Had the work not already been undertaken Officers would have sought to lessen the extent of lateral branch reduction on the west face of the crown as the most appropriate resolution.
16. In this case a further consideration is that the Holm Oak is a highway tree. It is advised general practice that it would not normally be appropriate for one Local Authority to protect another Local Authorities trees unless the land was planned for redevelopment. A tree preservation order made on the Holm Oak would on one hand be more restrictive to the management of the tree by Surrey County Council but on the other hand would enable the Borough to have more control over its maintenance in the interest of amenity. The County Council would have the right to raise objection to the protection of the Holm Oak and those objections would be reported back to the Planning Committee for consideration before a Tree Preservation Order could be confirmed.
17. Under the circumstances Officers do not feel that it is appropriate to place the Holm Oak under tree preservation order because the pruning has caused crown imbalance and it is felt that the County Council should be allowed to exercise prudent maintenance as necessary to ensure highway compatibility.
18. Officers raise no objection to the pruning as proposed to the Purple Leaf Plum tree located in the front garden. This is a mature tree of 6m height (post pruning) and approximately 60-70 years age. The trees stem diameter at 1.3m of approximately 600mm. Containment pruning is advised to reduce crown weight because this is an aged tree close to the house with some areas of dysfunctional woody tissue.

8 Conclusion

20. The pruning undertaken cannot be undone and it appears unjustifiable to make a tree preservation order under the circumstance, especially in view of the ownership of the tree being the highway authority. Officers recommend that an informative is applied expressing concern that the works have caused canopy imbalance. The Council's Tree Officer should also be instructed to point out these concerns in writing to the highway authority.

9 Recommendation

21. Epsom & Ewell Borough Council has considered your proposal and raises no objections to the proposed work described above. These works must be carried out within 2 years from the date of this notice. If for any reason the work is not carried out within that time a new notification should be made to the Council.

Informative

Although the Local Planning Authority have raised no objection to your tree work proposal this is on the basis that it is not considered appropriate to protect the trees by tree preservation order. However, the tree work to the Holm Oak tree located on the verge does not constitute sound arboricultural practice and results in canopy imbalance. It is recommended that the applicant informs the Highway Authority about the impact of the tree work on the balance of tree over the public highway.