

3000-1718107

PTA/2007/0700

TARGET DATE: 09/09/2007

Application Type: Protected Tree Application
Received Date: 16/07/2007

Case Officer: CN

APPLICANT

Mr Paul Clayton
Grange Cottage
2A Normanton Road
Edith Weston
Oakham
Rutland
LE15 8HD

AGENT

Mr Paul Clayton
Grange Cottage
2A Normanton Road
Edith Weston
Oakham
Rutland
LE15 8HD

Telephone: 01780 721526 or 07749 187005

Telephone: 01780 721526

ADDRESS OF DEVELOPMENT

Grange Cottage 2A Normanton Road Edith Weston Oakham Rutland LE15 8HD

PROPOSAL

Fell 1 No. Ash tree

Fee Received:
App Status: Valid

Receipt No:
Valid Date: 16/07/2007



File removed by/date		Please return file to	
To be completed by case officer:			
Date		Status of Application	
29/8		Stamped up - Back wall	

Application Category:



**NOTIFICATION OF DECISION IN RESPECT OF AN APPLICATION PROPOSING
WORK TO A TREE OR TREES SUBJECT TO A TREE PRESERVATION ORDER**

Applicants Name and Address

Mr Paul Clayton
Grange Cottage
2A Normanton Road
Edith Weston
Oakham
Rutland
LE15 8HD

Agents Name and Address (if any)

Mr Paul Clayton
Grange Cottage
2A Normanton Road
Edith Weston
Oakham
Rutland
LE15 8HD

PART I - Particulars of Application

Date of Validation:

16/07/2007

Application Number:

PTA/2007/0700/CN

Particulars and location of the works

PROPOSAL: Fell 1 No. Ash tree
LOCATION: Grange Cottage, 2A, Normanton Road, Edith Weston, Oakham, Rutland, LE15 8HD

PART II –

The tree(s) affected by the proposed work(s) is/are protected by the Edith Weston No. 1 TPO 1999

PART III – Particulars of decision

The **Rutland County Council** District Council consents to the work proposed in the application referred to in Part I hereof (in accordance with the application submitted).
Subject to Compliance with the following Conditions:

1. The works hereby approved must be carried out within 2 years from the date of this decision.
2. The works hereby approved must be carried out in accordance with BS 3998: 1989 British Standard Recommendations for tree work.
3. Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should the evidence of bats of any species be detected before or during the proposed works to the tree, all works shall cease immediately and the applicant/agent shall contact the Local Authority to secure the implementation of a programme of mitigation for protected species. Should nesting birds be present in the tree, felling/surgery should be deferred until late summer/autumn.

4. A replacement tree shall be planted, the exact species, size and location and timing to be agreed in advance of any works being undertaken with the Local Planning Authority. If within a period of two years from the date of planting, the tree (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted at the same place as soon as is reasonably practicable.

The reasons for the imposition of the conditions mentioned above are:

1. To ensure that the works are appropriate to the condition of the tree(s) at the time they are undertaken.
2. To ensure that the approved works are undertaken to a standard which will not have an adverse effect on the health, condition and ultimately the amenity value of the tree(s) subject to this application.
3. To ensure that any species present which are legally protected under the Wildlife and Countryside Act 1981 are not compromised by the work hereby approved.
4. To ensure a suitable replacement is planted in place of the tree to be felled.

Notes to Applicant

It would be the preference of the Local Authority to see an Ash tree of similar species to that which was removed in the same location by way of a replacement.

Nesting birds and bats, their roosts and their access to these roosts, are protected under the Wildlife and Countryside Act 1981. Therefore, should birds or bats be present in the trees affected by this application, any felling/surgery should be deferred until late summer/autumn.

Date: 29/08/2007



Proper Officer of the Council



Edith Weston
No. 1 TPO 1999



DELEGATED REPORT

Application ref: PTA/2007/0700
Case Officer: CN
8 Week Date: 09/09/2007

Date of Site Visit:	16/08/2007
Date of Report:	28/08/2007
3 Week Date:	17/08/2007

Proposal: Fell 1 No. Ash tree
Address: Grange Cottage 2A Normanton Road Edith Weston Oakham Rutland LE15 8HD

Neighbour Notifications:

Consultations:

Relevant Local Plan Policies:

Planning Officer's Report

- The tree is a prominent tree, located on the corner of Normanton Road and Pennine Drive in the Edith Weston Conservation Area.
- The tree has been visited by Mick Boddy who after a visual inspection agrees the tree should be removed
- The tree has a significant defect in the western branch with fruiting bodies indicating signs of decay. There is also evidence of further die back in the ends of the branches.
- The tree is showing obvious signs of stress
- For these reasons the loss of the tree is deemed acceptable.

Recommendation:

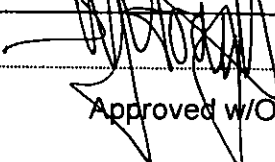
Approval, subject to the following conditions:

1. CL17 – RL10
2. CL18 – RL11
3. CL19 – RL12
4. A replacement tree shall be planted, the exact species, size and location and timing to be agreed in advance of any works being undertaken with the Local Planning Authority. If within a period of two years from the date of planting, the tree (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted at the same place as soon as is reasonably practicable R = To ensure a suitable replacement is planted in place of the tree to be felled.

Note to Applicant

It would be the preference of the Local Authority to see an Ash tree of similar species to that which was removed in the same location by way of a replacement.

Signed:

 29/8/07	
Rutland Council	Refusal <input type="checkbox"/>
	Approved w/Objections <input type="checkbox"/>

SITE NOTES & ACTION SHEET

Application: PTA/2007/0700 Date: 31/7/07 Officer: CN

Fell 1 No. Ash tree

Grange Cottage 2A Normanton Road Edith Weston Oakham Rutland LE15 8HD

AGENT: Mr Paul Clayton 01780 721526 APPLICANT: Mr Clayton 01780 721526 or 07749 187005

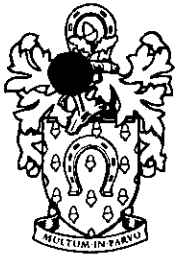
Site Notes

x Get micha body to inspect

Follow-Up Action



Neighbour
Notifications Checked



Rutland County Council

Development Control Section

Catmose, Oakham, Rutland, LE15 6HP

Tel: 01572 722577 Fax: 01572 758307 DX: 28340 Oakham

Email: enquiries@rutland.gov.uk Web: www.rutland.gov.uk

TOWN & COUNTRY PLANNING ACT 1990

NOTICE OF INTENTION TO CARRY OUT WORKS TO PROTECTED TREE(S)

NOTICE is hereby given that an application has been submitted to carry out the following works to a protected tree (either in a Conservation Area or subject to a Tree Preservation Order): -

Application No: PTA/2007/0700/CN

PROPOSAL: Fell 1 No. Ash tree

Grange Cottage, 2A, Normanton Road, Edith Weston, Oakham, Rutland, LE15 8HD

Any person who wishes to make representations to the Council about the application should make them in writing within the period 21 days following the date of this Notice.

Copies of the application and of all plans and documents submitted with it will be open for inspection by the public at the Planning Office, Catmose, Oakham, Rutland; the opening hours of which are Monday to Thursday 8.30 a.m. to 5.00 p.m., and Friday 8.30 a.m. to 4.30 p.m. excepting Public Holidays.

The application can also be inspected online at www.rutland.gov.uk/developmentcontrol.

Mr D Baker

Head of Planning & Development

Dated: 27/07/2007

PLANNING APPLICATION

PLANNING WORKSHEET 1 (TREES)
INITIAL RECEIPT

Date:16/07/2007

APPLICATION REFERENCE NO:
PTA/2007/0700/

DATE RECEIVED: 16/07/2007

APPLICANT

Mr Paul Clayton
Grange Cottage 2A
Normanton Road
Edith Weston
Rutland
LE15 8HD

AGENT

Mr Paul Clayton
Grange Cottage
2ANormanton Road
Edith Weston
Rutland
LE15 8HD

DESCRIPTION : Correct :

Yes No

PROPOSAL: Fell 1 No. Ash Tree.

LOCATION : Correct :

Yes No

, Grange Cottage 2A, Normanton Road, Edith Weston, ,Rutland.LE15 8HD.

VALIDATION

APPLICATION REQUIRED

YES NO

TYPE OF APPLICATION

TPO CAT

SITE NOTICE REQUIRED?

YES NO (trees to be felled only)

Scanned

Uploaded

<input checked="" type="checkbox"/>
<input type="checkbox"/>



C / 2007 / 0700

RECEIVED

Rutland County Council District Council 16 JUL 2007

Community Services Department

PLANNING SUPPORT

TREE WORK APPLICATION / NOTICE FORM

Please submit two copies of this form

1. Details (please note that all correspondence will be sent to the Agent, if specified below)

Table with Applicant and Agent details including names, addresses, postcodes, and telephone numbers.

2. How are the trees protected? (please delete whichever is not applicable)

Options A and B for tree protection, with handwritten text for option A.

3. The Applicant's interest in the trees

Form for applicant's interest in the trees, including questions about land ownership and discussion with the landowner.

4. Have you sought the advice of a professional tree surgeon?

YES	<input checked="" type="checkbox"/>	If YES, please state their name and address below (unless stated at 1b):
NO	<input type="checkbox"/>	MARK ASHMAN 33 HIGH STREET PICKWELL LE14 2QT

5. Has the application / notice been prompted by a particular incident?

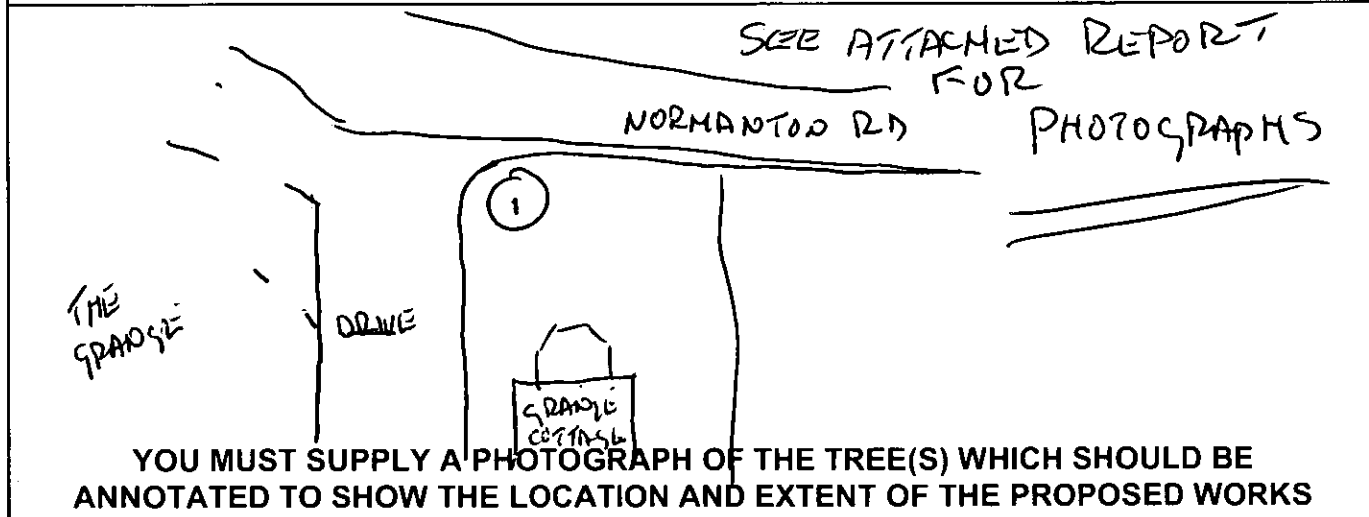
YES	<input checked="" type="checkbox"/>	If YES, please provide brief details below:
NO	<input type="checkbox"/>	FALLEN BRANCHES CAUSING FINANCIAL LOSS (DAMAGE TO CAR)

6. The application / notice

- Specify the tree(s) to which the application / notice relates
- Describe the work you wish to carry out as accurately as possible
- You must state your reasons for making the application

Tree Species	Tree (ref no on plan)	Proposed Operations	Reasons why proposed tree works are required
ASH	1	FELL	DISEASED AND UNSAFE DAMAGE TO PROPERTY BY ROOTS FINANCIAL LOSS

7. Plan In the space below, please provide a sketch plan (aerial view) which should include: The position of the tree(s) (indicated by a circle with a reference number related to part 6 above in relation to adjacent buildings, property boundaries and the nearest named road.



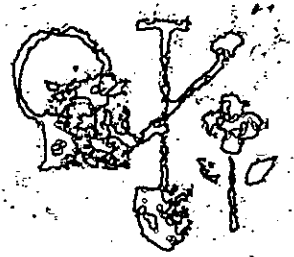
Signed: <i>PJ Clayton</i>	Date: 13/07/07
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Please send two copies of your completed form and photograph(s) to:
 Planning Support Team
 Community Services Department
 Rutland County Council
 Catmose
 Oakham
 Rutland LE15 6HP

Please contact Customer Services on **01572 722577** if you would like any assistance with your application.

C / 2007 / 0700

**HILL-FORT NURSERY, GARDEN &
TREE CARE**



**RECEIVED
16 JUL 2007
PLANNING SUPPORT**

**33 MAIN STREET . PICKWELL . MELTON MOWBRAY
LEICESTERSHIRE . LE14 2QT .
TEL/FAX 01664 454699**

**Arboricultural report for Mr Clayton
An Ash at Grange Cottage Edith Weston, Rutland**

**Prepared by Mark Ashman
Certified Arborist (ISA), Tech Cert (Arbor A)
11 September 2006**

Contents:

- 1 **Instruction**
- 2 **Report limitations**
- 3 **Introduction**
- 4 **Findings**
- 5 **Conclusions**
- 6 **Recommendations**

1 Instruction

1.1 I have been instructed by Mr Clayton, to carry out an inspection of an Ash tree located on the roadside boundary of No 2a Normanton Rd, Edith Weston and report on the following:

- A The health, safety and overall condition of the tree.
- B Make recommendations regarding any future management needs.

2 Report limitations

2.1 The inspection was carried out from ground level only, as a climbed inspection was not necessary in order to establish its condition and make appropriate management recommendations.

2.2 The inspection was carried out with the aid of binoculars using visual observation methods and with the aid of a sounding mallet.

2.3 Trees are living organisms whose health and condition can change rapidly, the health, condition and safety of trees should be checked regularly, preferably at least once a year. The conclusions and recommendations in this report are valid for a period of one year. This period of validity may be reduced in the case of any change in conditions to or in proximity to the tree.

2.4 There is a Tree Preservation Order (TPO) in existence upon the tree (No 1 TPO 2006) and any works to the tree will require consent from the Local Planning Authority (LPA).

3 Introduction

3.1 Following instruction by telephone on 10 August 2006 from Mr Clayton, I visited the site on the 24 August 2006 to carry out an inspection of the tree. I confirm the tree species as Common Ash (*Fraxinus excelsior*) of approximately 110 years of age.

3.2 The tree is an old mature specimen located on the South West corner of the property adjacent to the grass verge and the Normanton Road. The tree stands alone in a border of mixed species shrubs and small trees in the front garden of the property.

3.4 The tree has in the past received major surgical works, which have significantly reduced the crown throughout the tree canopy. It appears that this work has been carried out in response to earlier safety concerns due to the large size of the tree, defects found within the crown, and the presence of a target in the form of traffic on the busy Normanton Road, power lines that run beneath the tree, a stone wall running beneath the tree, pedestrians using the grass verge and

driveway, cars parked on the driveway beneath and the close proximity building to upon the property.

3.5 Current concerns for the safety of the tree have been raised by Mr Clayton, with whom the responsibility for the tree remains, following branches dropping from the tree resulting in financial claims for damages against him and the presence of fallen fruiting bodies of bracket fungus found upon the lawn in recent years.



4 Findings

4.1 Leaves, buds and extension growth

4.1.1 Leaf colour and extension growth on the limbs appears good and typical for the species.

4.2 Branch Structure

4.2.1 The tree's major limbs arise from a single trunk at approximately 3 metres from ground level. All the major limbs and main stem have been surgically reduced in height and length.

4.2.2 There is a moderate amount of epicormic growth along the main limbs, which is (in response to the major pruning works referred to above) an attempt for the tree to recover lost leaf cover. This growth is not yet extensive enough to increase the weight and wind resistance beyond its former state (prior to pruning works).

4.2.3 The crown extends to 14 metres above ground level and has an East West spread of approximately 14 Metres.

4.2.4 There is minor and major deadwood present throughout the crown.

4.2.5 There is a knothole on a limb at approximately 6 metres towards the South West. This is a potential bat roost.

4.3 Trunk

4.3.1 The trunk is covered in ivy to a height of approximately 5 metres, a band of which has been removed from around the trunk and the upper portion of the ivy has died off. Large limbs have been surgically removed from the main trunk and the main central stem has been cut off at approximately 12 metres and has died back leaving a dead stub of approximately 1.5m in length.

4.3.2 There is a decay column at approximately 8 Metres on the West side of the trunk, which extends for approximately a metre in length.

4.3.3 There is a fruiting body of *Innonotus hispidus* at approximately 6 metres on the South side on the main trunk.

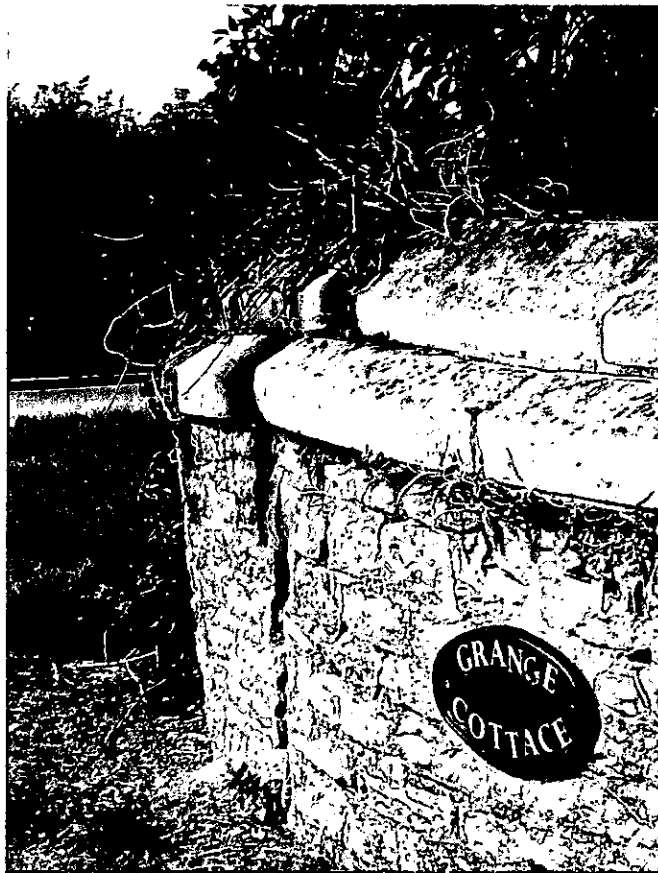


4.3.4 There is a dead branch stub on the main trunk at approximately 7 metres on the North side where a fruiting body of *Daldinia concentrica* is present.

4.4 Root system

4.4.1 The root system appears to be in good health as is evident from the leaf colour and extension growth this season.

4.4.2 A buttress root at a distance of 30cm from, extends towards the stone wall, which is the boundary between the garden and the driveway. The wall is cracked and has lifted away from the buttress root towards the driveway.



5 Conclusions

5.1 The overall condition of the tree is poor due to the decay in the upper section of the main trunk and the extensively reduced crown of the tree. *Inonotus hispidus* is the most frequent decay fungus found in Ash and destroys both lignin and cellulose simultaneously from within the woody tissues resulting in a brittle fracture. Decay caused by *I. hispidus* is progressive and there is no treatment available for the decay organism.

5.2 Since *I. hispidus* weakens Ash at an early stage of decay, its presence in this species often indicates that breakage of the affected branch or trunk could be imminent.

5.3 The decay from *D. concentrica* is of a white rot that leads to brittle fracture. It is usually confined to parts of the tree that have previously died. Therefore, though of lesser concern to the overall health of the tree than the presence of *I. hispidus*, it does indicate that deadwood is present in the limb upon which the fruiting body appears.

5.4 There is a potential risk of failure above the decay column in the main trunk, and of branch attachments to the main trunk where the *I. hispidus* fruiting body is present.

5.5 The proximity of the buttress root and the apparent lifting of the stone built boundary wall are consistent with the cause of the damage to the wall being the incremental growth of tree roots.

5.6 The safe useful life expectancy of Common Ash is 100 to 150 years. This tree at approximately 110yrs, with its past history of pruning works presence of decay and a variety of targets (see para 3.4) should the tree fail, has grown beyond its safe useful life expectancy.

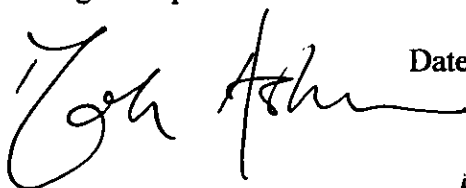
5.7 All British Birds and their nesting sites are protected under the Wildlife and countryside Act 1981 (amended by the Countryside and rights of Way Act 2000) and the Conservation (Natural Habitats) Regulations 1994. The implications of which are that thorough inspection of the tree prior to any works on the tree must be undertaken to establish the presence or not of any nesting bird.

5.8 All British Bats are similarly protected. Although I saw no evidence of the presence of Bats during my inspection, this tree being native, old and decayed make it a very suitable site for wildlife habitat. Therefore adequate surveying for the presence of bats or their roosts must be undertaken immediately prior to carrying out any tree works.

6 Recommendations

1 Fell the tree and grind out the stump. Remove all arisings from site and reinstate with fresh topsoil. And at the discretion of the LPA re-plant with the same or similar species at the same place or at a place to be agreed upon with the LPA.

Signed



Dated -

11 SEPTEMBER 2006

APPROVED