

REPORT OF HEAD OF PLANNING GREEN SPACES AND CULTURE

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REF: 56765/TRE/2013/44: APPLICATION TO FELL OAK (T16) AND TO CARRY OUT TREE SURGERY TO ONE OAK (T17) ON TREE PRESERVATION ORDER NUMBER 363 (TPO 363) AT 18 DEERINGS DRIVE, EASTCOTE

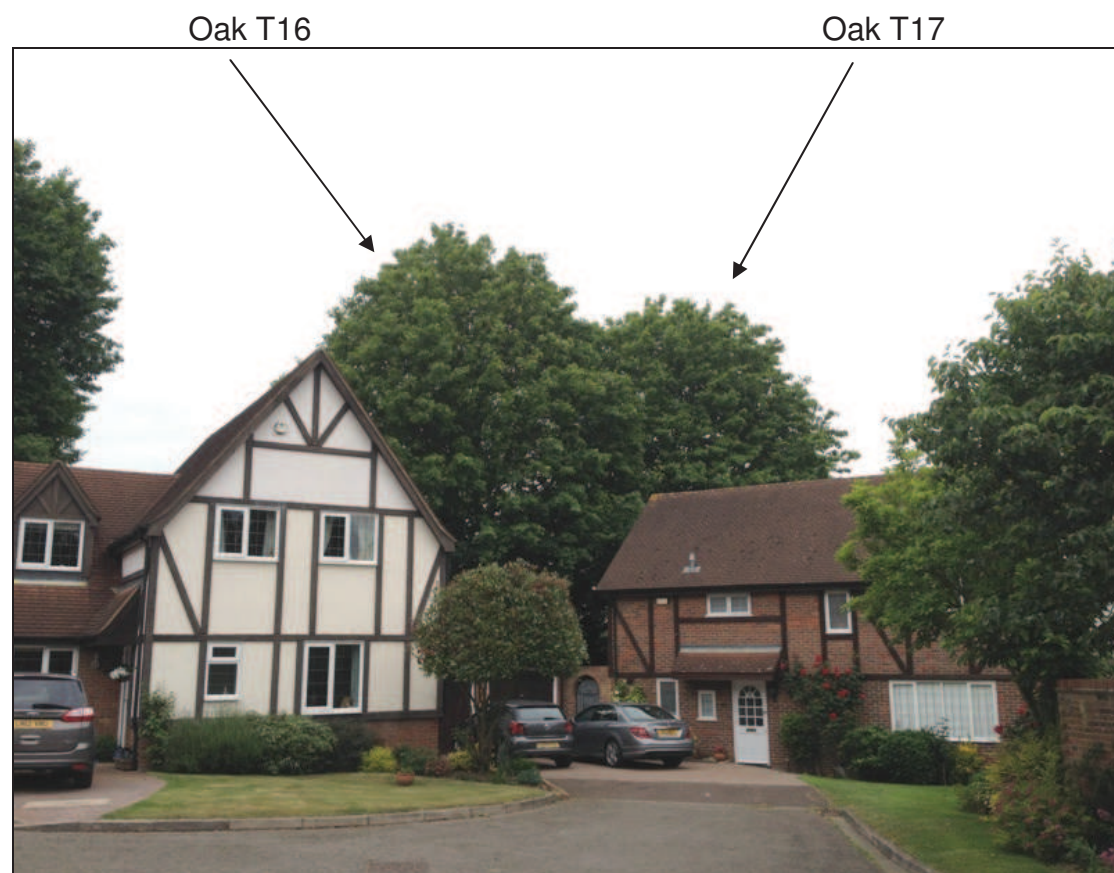


Figure 1: The view of the Oaks from outside the applicant's property

1.0 Summary

The applicant, Mr Thakkar, has submitted an application (Ref: 56765/TRE/2013/44) to fell Oak (T16) and to carry out tree surgery to Oak (T17) on TPO 363. An objection to the application has been received by way of a petition (signed by 29 neighbours) and must, therefore, be decided by Committee.

2.0 Recommendation

A split decision is recommended:

Recommendation A:

The part of the application relating to the proposed tree surgery (a crown reduction by about 30% by cutting back to previous pruning points) to Oak (T17) should be approved.

Recommendation B:

The part of the application relating to the proposed felling of Oak (T16) should be refused for the following reasons (summarised):

1. The Oak (T16) is a fine, healthy tree which has a high amenity value and contributes to the visual amenity of the local area. The tree also provides a green screen between the dwellings and gardens of Deerings Drive and Gerrard Gardens.
2. The felling of the tree is unnecessary because there is scope to re-prune the tree (by about 30% by cutting back to previous pruning points) and then to carry out these works on a cyclical basis, to contain the tree's size and allow it to be retained as a landscape feature in the long-term.
3. The reasons given for wishing to fell Oak (T16) do not outweigh its high amenity value, and therefore there is inadequate justification for the tree to be felled.

3.0 History

3.1 This application concerns two mature (Red) Oak trees situated in the rear garden of 18 Deerings Drive. The Oaks are protected by TPO 363.

3.2 TPO 363 was authorised 'as an emergency' by the Chairman's Action Sub-Committee on 14th January 1985 for the following reasons:

"A planning application has been received for the re-development of the site (St. Michael's School) but this has yet to be determined. There are many fine trees on the site and it is desired, as a matter of urgency, to protect these trees by means of a Tree Preservation Order as their loss would be most regrettable".

3.3 The TPO was made on 17th January 1985 and then formally confirmed by Committee on 24th March 2013.

3.4 During 2002, the Council granted consent to carry out tree surgery, including a crown thin by 30% and a reduction of the parts of the lower crowns growing towards house on both trees by 25%

3.5 During 2006, the Council granted consent to carry out tree surgery, including a crown reduction by 30% and a crown lift to 3m, to both trees

3.6 During 2006, the Council refused to grant consent to carry out tree surgery, including an unspecified crown thin to both trees.

4.0 Amenity

4.1 The trees can be seen from various vantage points in the locality (see Figures 1 to 4), including much of Deerings Drive and parts of Gerrard Garden (where they have a good screening value).

4.2 The Oaks were first pruned in 1993 (without consent), but have recovered. The trees have since been managed by pruning (crown reduction and thinning). Both have developed natural-looking domed crowns typical of their species.

4.3 At the time of the inspection, there was no evidence of any significant defects or disease, and the opinion was formed that the trees were in good condition with good form.

4.4 The trees make a significant contribution to the arboreal character and amenity of the local area. The benefit in amenity afforded by the trees is both present and future, because the trees have a long life expectancy. The trees have high amenity values.



Figure 2: The view of the Oaks from outside 21 Deerings Drive



Figure 3: The view of the Oaks from outside 7 Deerings Drive



Figure 4: The view of the Oaks from 19-21 Gerrard Gardens

5.0 Reasons put forward by the applicant for wishing to carry out the proposed works, and the Council's observations on them.

5.1 Very close to house and garage.

The Oaks (T16 & T17) are about 15m tall and stand about 9.5m north-west and north-east of the building (northern-most corner of house) respectively (see Figure 5 below).



Figure 5: (Oak T16 on the left, Oak T17 on the right)

The branches of both trees are starting to grow close to the roof and wall of the house and garage, which could cause future damage. This matter could easily be dealt with by targeted pruning (to cut back offending branches to provide improved clearance).

Some of the roots of the Oak (T17) appear to be causing some very minor disturbance to a small part of the block paving in the rear garden (see Figure 6), however this issue has not been raised as a cause for concern in the application (section 8.2, which relates to alleged damage to property, of the application form has not been completed). If this issue were raised in future, there would almost certainly be scope for some root pruning to alleviate the (minor) problem.

The houses in Deerings Drive appear to have been built to a high standard and all should have been built on foundations adequate enough so as to avoid subsidence occurring (this would be a matter to take up with Building Control).

If subsidence were to occur in the future, another application could be submitted, along with evidence supporting the allegations, and this would be decided on its facts and merits (again, this matter has not been highlighted as a problem in section 8.2 of this current application form).



Figure 6: The localised root damage to part of the block paved patio

5.2 Heavy shade preventing enjoyment of garden

Both of the Oaks are situated to the north of the house (See Figure 7). Shade will be cast beneath them, however they do not shade the main part of the garden (east of the rear of the house), in which many roses and other plants are successfully growing. This part of the garden can only be shaded by the house itself.



Figure 7: (showing the approximate extent of the house and rear garden)

6.0 Residents consulted and summary of objections to proposal

6.1 The Eastcote Residents' Association; and residents at 19, 21, 23, 25, 27, 29, 31 and 33 Gerrard Gardens; and 13, 14, 15, 16, 17, 19, 20, 21, 22 and 23 Deerings Drive were consulted.

6.2 Summary of objections:

It is a healthy, mature specimen; the trees form a living screen; the trees are perfectly healthy and have a special amenity value; these trees are home to numerous insects (food for birds), birds and squirrels; the applicant knew the trees were there when moving into the property; this tree cannot block light because it is north-facing; the owner admits the tree is healthy and is not damaging the property; trees should not be felled unless diseased.

6.3 No consultees supported the application

7.0 Conclusions

These two protected Red Oak trees are large and they will grow much larger if allowed to. However, their growth could be contained by regular pruning (crown reduction).

Given the high amenity value of the Oak trees, it is considered that there is inadequate justification for the Oak (T16) to be felled and therefore it is recommended that the part of the application to fell Oak (T16) be refused.

Furthermore, the applicant has not provided details of a replacement tree, nor provided reasons for not wanting to replant; as is the requirement in part 7 of the application form.

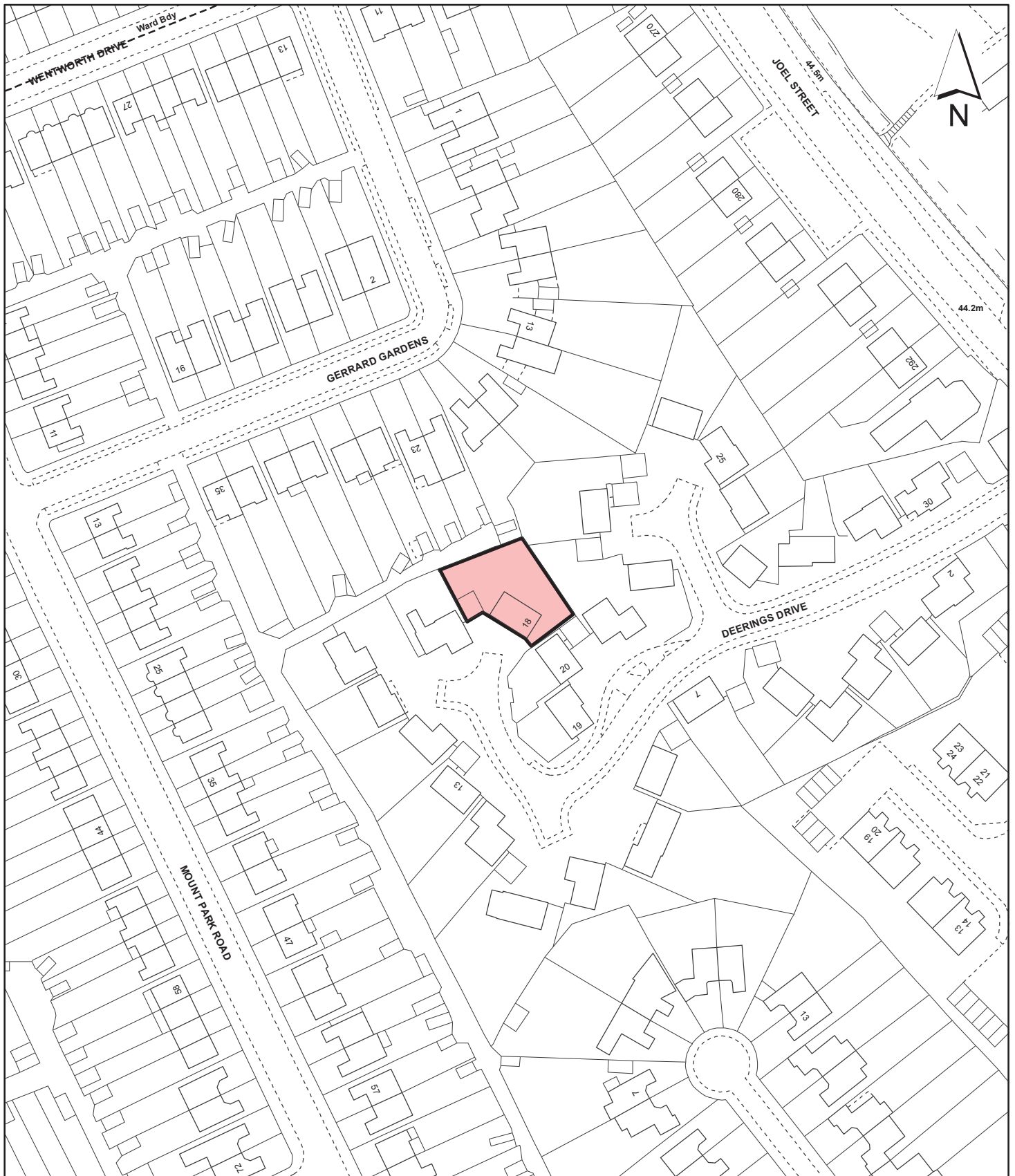
8.0 Reference Documents

8.1 The following background documents were used in the preparation of this report:


- Tree Preservation Order No. 363 (1985)
- Photographs of the Oaks taken from various locations
- Tree Preservation Orders – A guide to the Law and Good Practice.

9.0 Contact Officer/s:

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Notes

 Site boundary

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Site Address

**18 Deerings Drive
 Eastcote**

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services**

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 Telephone No.: Uxbridge 250111

Planning Application Ref:
56765/TRE/2013/44

Scale
1:1,250

Planning Committee
North

Date
**July
 2013**



HILLINGDON
 LONDON