

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT ON OTHER PLANNING MATTERS

TPO 48 (W1) – Unauthorised Tree Work at West Lodge, Picton Castle

Background

Members will recall that this matter was reported to the Development Management committee meeting on 20th July 2011 where it was reported that several trees, the subject of a Tree Preservation Order, had been felled without the necessary consent.

It was reported that there were two courses of action available to members; the first to seek to prosecute the landowner for the willful destruction of the trees, or the second to request that the landowner replant the trees voluntarily and under the advisement of the NPA. In the absence of the landowner failing to comply this can be enforced through the serving of a Tree Replacement Notice. Officers recommended that the second option be followed as this would ensure the replacement of the trees which the first option would not secure.

It was considered that this offence was a serious one but it was agreed that a pragmatic approach would be taken as long as the work was carried out and it was resolved that the matter be brought to a subsequent committee meeting once a planting schedule had been received.

Current Situation

The Authority's Tree and Landscape Officer has been in discussion with the Picton Castle Trust representative since the above resolution and a woodland management policy has now been received. This proposes to plant a three layer woodland margin as a link between the Lodge garden and the existing mature woodland to the west. Native species will be used and in choosing the species regard to wind exposure, soil conditions and shade of site has been made. Their aesthetic suitability was also taken into account. The proposal is to plant:

Quercus robur (Pedunculate Oak) x3 as primary species

Prunus avium (Wild Cherry) x3, *Malus sylvestris* (Crab Apple) x3, *Sorbus torminalis* (Wild Service Tree) x3, *Crataegus monogyna* (Hawthorn) x5, *Corylus avellana* (Hazel) x5, *Ilex aquifolium* (Holly) x5 (as transplanted seedlings). All these would be secondary species.

An understory of *Viburnum opulus* x5 (Guelder Rose), *Lonicera periclymenum* (Honeysuckle) and retention of Snowberry will also be provided.

The trees will be formed in an informal matrix and planting will take place between November 2011 and Spring 2012 (timing to be weather dependent). Maintenance will be undertaken to control snowberry, brambles and herb layers to reduce competition and after 5-8 years thinning will be required with interim control of regenerated Ash, Beech, and Sycamore.

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Appraisal

The Tree and Landscape Officer is of the opinion that the management plan is acceptable and will, as stated in the plan, produce a multi-layered woodland margin in keeping with the site and the adjacent landscape which should help in integrating the property with the surrounding woodland successfully. Whilst the felling of the preserved trees is not condoned, this plan will fully compensate over time for the loss of these mature trees.

Conclusion

It is considered that the woodland management plan is acceptable and subject to this being implemented as set out above it is considered that this voluntary agreement to replant is an acceptable solution to providing replacement planting in this instance.

Recommendation

That Members endorse the woodland management plan and require the plan to be implemented as set out in that document. In the absence of this plan being implemented by Spring 2012 it is recommended that a Tree Replacement Notice be served requiring the replacement of the trees.