

DELEGATED FILE NOTE

CASE OFFICER: ...Francis Mabbett.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

26/01813/TPO

Cedar - Fell to ground.

15 Downlands

Royston

Hertfordshire

SG8 5BY

Submitted Plan Nos

Location plans Photos

1.0 Policies

2.0 **Site History**

14/01022/1TPO – Fell one Acre tree (T1), reduce height by 30% of one Birch tree (T2) and one Rowan tree (T3) – Conditional Consent

17/02182/1TPO - Pine – Fell – Refused

18/00927/TPO - Pine - Reduce by 30% - Conditional Consent

18/02061/TPO - T1 Cedar - Fell to ground level – Refused

25/02765/TPO - T1: Cedar - Fell to ground level – Refused

3.0 **Representations**

None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

Cedar (applicants plan) is located on the west boundary at the front of the property adjacent to the road and garage. The site is not within a Conservation Area, but the tree is protected A2 of TPO/019.

4.2 **Proposal & Reason**

Cedar - Fell to ground.

Reasons:

- o Applicants suffer from mobility and sight issues
- o Needles that drop all year round create a slippery surface
- o Tree roots have cracked their driveway in many places creating many trip hazards on a slope, some as large as 2 inches.
- o The tree has outgrown its available space
- o Ivy has grown up around it and has now covered all of the trunk which will likely damage the tree more

4.3 **Key Issues**

The key issue for consideration is whether the reason provided justifies proposed works and the appropriateness of these given that the tree is protected by a Tree Preservation Order.

- 4.3.1 The Cedar is a mature tree that has previously been crown reduced, but appears to have responded well with good regrowth and an outward appearance of general good health. The tree is in a prominent position and contributes significant amenity to the local area.

- 4.3.3 No information has been provided to prove the tree is directly responsible for the health issues of the applicant or that it significantly affects the applicant's mobility. The driveway slopes naturally and differences in ground level is to be expected whether around trees or not and this is not a sufficient reason to remove a prominent amenity tree.
- 4.3.4 Trees naturally discard used material all year round and it is normal for trees to shed leaves and needles throughout the year. The consequence of this can be slippery surface, however this can be mitigated by regular clearance of the debris and it would not be reasonable to have tree removed for natural shedding of detritus.
- 4.4.5 There is evidence of cracks in the concrete driveway which appears to have been laid in separate slabs, with the slab nearest the tree on its west aspect appearing to be slightly raised above the others. Without the removal of the slab it is not possible to confirm whether tree roots are responsible for this movement or other causal factors, such as general settlement from ground movement. Removal of the tree is considered excessive when alternative solutions to driveway design and construction could be considered.
- 4.4.6 Crown reductions of the tree from previously consented applications has restricted and contained it at a size suitable to its location and there is no reason why further repetition of these works would not be sufficient in maintaining this.
- 4.4.7 Ivy is often mistakenly thought to be damaging to trees, it is not parasitic as in the case with mistletoe and is only a threat to trees that are thin crowned or in decline through disease, where it may compete with and smother the trees foliage. Ivy increases the weight and sail area of trees, but again is only a threat if the tree already has significant structural defects. Ivy can be easily severed at the base and removed if necessary.
- 4.4.8 The various reasons provided by the applicant are not considered to be reasonable justification for removal of the Cedar tree as no compelling evidence has been provided in support of the application. The issues highlighted by the applicant can be overcome by alternative means that does not necessitate the removal of the tree. Tree Preservation Orders (TPO) are to protect trees of high amenity value that if removed would have a significant negative impact on the local environment and its enjoyment by the public.

4.4 **Conclusion**

- 4.4.1 Insufficient supporting evidence has been submitted for the proposed to reasonably justify the removal of the Cedar, which would see the loss of a high amenity value tree and would have an unacceptable negative impact on the street scene and public enjoyment. The reasons provided are not regarded as significant in outweighing the harm of the loss of the tree and it is therefore reasonable to refuse the application.

4.5 **Alternative Options**

- 4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

- 4.6.1 None applicable

5.0 **Recommendation**

5.1 That planning permission be **REFUSED** for the following reasons:-

1. No detailed justification has been submitted in support of the application for its removal. Thus, in the absence of any compelling evidence being produced for the removal of the tree in terms of its health, condition or relationship to the surrounding buildings there is insufficient justification for consent to be granted and the felling of this tree would be harmful to local character and amenity.

Signed  Ben Glover	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 9 September 2026	