

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/02106/TPO	T1: Field Maple - Pollard to fence. T2: Ash - Sever and remove bulk of ivy and reduce unbalanced limbs overhanging highway. T3: Oak - Sever ivy at approximately 15ft and remove bulk of ivy. Remove deadwood. T4: Scots Pine - Fell to ground level. T6: Ash - Reduce large limb overhanging neighbour and sever ivy at ground level. T8: Larch - Reduce canopy over neighbouring property but pollarding or removal might be required if works confirm tree actually fully unsound due to disease. T11: Horse Chestnut - Reduce canopy in line to avoid contact with house at 1a Dale Close.	21 Gosmore Road Hitchin Hertfordshire SG4 9AT

Submitted Plan Nos

1.0 Policies

2.0 Site History

Various tree works applications at the site, the most recent:

09/00747/1TPO - Fell 2 Sycamore trees (T1 & T2); crown reduction by up to 3m of 1 Horse Chestnut (T3) - Conditional consent

18/00597/TPO - Ash - Three main branches to be reduced back to boundary and remove dead wood - Conditional consent

3.0 Representations

None received.

4.0 Planning Considerations

4.1 Site and Surroundings

T1: Field Maple, T2: Ash, T3: Oak and T4: Scots Pine (applicants plan) are located on the west boundary of the site close to Gosmore Road. T6: Ash, T8: Larch and T11: Horse Chestnut (applicants plan) are located on the north boundary of the site adjacent to the neighbouring property Cedar House. The site is not within a Conservation Area, but the trees are protected by A1 of TPO/001.

4.2 Proposal & Reason

T1: Field Maple - Pollard to fence. T2: Ash - Sever and remove bulk of ivy and reduce unbalanced limbs overhanging highway. T3: Oak - Sever ivy at approximately 15ft and remove bulk of ivy. Remove deadwood. T4: Scots Pine - Fell to ground level. T6: Ash - Reduce large limb overhanging neighbour and sever ivy at ground level. T8: Larch - Reduce canopy over neighbouring property but pollarding or removal might be required if works confirm tree actually fully unsound due to disease. T11: Horse Chestnut - Reduce canopy in line to avoid contact with house at 1a Dale Close.

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 T1 Field Maple is located within the vegetation mass abutting Gosmore Road, It is showing dieback within the crown and has limited amenity value in its current state. Pollarding will reduce risk to users of Gosmore Road and may stimulate regrowth lower in the crown, increasing its chances of longer retention.
- 4.3.2 T2 Ash is a mature tree with a crown that spreads out over Gosmore Road. A reduction of limbs over the road will aid in shaping the tree and also reduce the ‘lever arm’ effect on overlong limbs, reducing the risk of failure in extreme conditions and any potential conflict with high sided vehicles.
- 4.3.3 The Town and Country Planning (Tree Preservation)(England) Regulations 2012 states in Regulation 14 para. (b)

“14.—(1) Nothing in regulation [13](#) shall prevent—

(b)the removal of dead branches from a living tree;”

Therefore, the dead branches are exempt and can be removed from T3 Oak without the need for an application or consent from the council.

- 4.3.4 T4 Scots Pine and T8 Larch present an outward appearance of being moribund or completely dead. They are now at high risk of collapse and should be removed at the earliest convenience. Dead trees are an exception to a ‘section 211 notice’ but 5 working days prior written notice must be given to the authority before cutting down or carrying out other work on a dead tree. The trees can be removed/reduced without further reference to the council.
- 4.3.5 T6: Ash and T11: Horse Chestnut both encroach over the neighbouring property. The reduction of encroaching limbs to mitigate conflict with property buildings or structures is not unreasonable and is unlikely to be detrimental to the health of the trees.
- 4.3.6 Climbing plants do not require consent from the LPA to be severed or removed provided care is taken to ensure no damage is inflicted on the TPO tree. It is advised the works comply with provisions of the Wildlife and Countryside Act 1981(as amended).

4.4 **Conclusion**

- 4.4.1 The proposed works to TPO trees appears reasonable and necessary to reduce risk to property and persons. The impact to live trees are considered low with the effect on visual appearance anticipated to be minimal and therefore refusal would be hard to justify.

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 **GRANTED** subject to the following conditions:-

1. The works shall be carried out to conform to British Standard 3998 - Recommendations for Tree Work and in a manner so as to ensure that the natural and aesthetic appearance of the trees are maintained to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that the works are undertaken to an acceptable standard which will not harm the health of the tree(s).

2. The works shall be undertaken only by a competent and suitably qualified arboricultural contractor or tree surgeon as capable of carrying them out to an acceptable standard.

Reason: In order that the works are undertaken by a suitably qualified contractor.

Signed  Melissa Tyler	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 8 October 2026	