

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01049/TPO	T1: Walnut - Fell	5 Pirton Close Hitchin Hertfordshire SG5 2BU

Submitted Plan Nos

Location plan Photos

1.0 Policies

2.0 Site History

19/02178/TPO - T1 Copper Beech - Crown thin and lift by approx 30%. T2 Walnut - Crown lift by approx 30% **Conditional Consent**

22/02799/TPO - T1 Beech - 20% reduction to previous points. T2 Walnut - 30% reduction to good growth. **Conditional Consent**

25/00239/TPO - T1 Walnut - Remove. T2 Purple Beech – Prune – **Refused**

AP/25/00027/TPO - T1 Walnut - Remove. T2 Purple Beech – Prune – **Appeal Dismissed**

26/00448/TPO - T1: Beech - Crown reduce by 3-4m (back to primary cuts). T2: Walnut - Crown reduce by 1.5-2m approx (previous pruning points) - **Conditional Consent**

3.0 **Representations**

None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

T1 Walnut (applicant's plan) subject of this application is located at the front of the property to the East side of the ingress/egress driveway. The tree is visible to the public realm. The site is not within a Conservation Area, but the tree is protected by a tree preservation order TPO/053.

4.2 **Proposal & Reason**

T1: Walnut - Fell

T1 Walnut (extensive decay in the supporting stem from a historical wound) This is a potential hazard due to the proximity to the property and public if the tree fails. See attached report - Foliar condition appears stressed, lower trunk is compromised by decaying branch removal wounds, grows favourably south toward the roadway (see photographs 3 & 4,

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 Walnut is a mature tree that provides good amenity value to Pirton Close. The tree's removal has previously been Dismissed at Appeal and the tree has recently been crown reduced with consent of application 26/00448/TPO.

4.3.2 The reason provided for removal of the Walnut tree is "*extensive decay in the supporting stem from a historical wound. This is a potential hazard due to the proximity to the property and public if the tree fails.*" Supporting documentation is provided in the form of photos of the wounds and a report by Abbots Arboricultural Advice (AAA) of 16/09/2024.

4.3.3 The details in the submitted supporting AAA report describes the tree's condition as "*Physiological: Fair Structural: Fair Foliar condition appears stressed, lower trunk is compromised by decaying branch removal wounds, grows favourably south toward the roadway*"

The report defines Fair Physiologically as *“Fair = symptoms of ill health that can be remediated”* and Structurally as *“Fair = significant defects that can be remediated”*

No additional evidence is provided to prove to what extent the lower trunk is compromised or to prove decay is extensive in the supporting stem, as stated by the applicant. The report goes on to state that (the Walnut):

“This tree presents as being in somewhat poor condition but this is the way with walnut. It is minorly structurally compromised by two decaying branch removal wounds on the lower trunk, but is not likely to fail due to this effect.”

This would suggest that the outward appearance of the tree physiologically is fairly normal and imminent failure is not anticipated.

4.3.3 Walnut is known to produce a durable heartwood that is moderately resistant to decay and the volume of dysfunctional wood resulting from the wounds may, due to vessels terminating in this region, be limited to a small area only and decay may not extend into the main stem extensively. Decay is usually identified externally by fungal fruiting bodies, exudations from the bark, insect holes or exposed decaying cavities or wounds. The wounds appeared only partly decayed and there were no obvious signs of pathogens or other symptoms present. The foliage appeared normal with some very minor deadwood in the crown post reduction. Further investigation of the state of the internal wood would ascertain the extent of decay present and make a full assessment to the tree’s structural integrity possible, should this be deemed necessary by future reassessment.

4.3.4 The recent consented reduction to the Walnut will have significantly reduced the sail area and loading stresses on the tree and will have substantially reduced the risk of any potential failure (as proposed by the applicant) whether extensive internal decay exists or not. At present this is considered to be a suitable remedial action to address the tree’s imperfections. Note also that prior to these works, the AAA report advises *“T1 – Walnut – N/A (no action) but review in three years-time”*.

4.4 **Conclusion**

4.4.1 Removal of the tree without further details/evidence of the extent of suggested internal decay or obvious signs of a significant pathogen is regarded as premature and would see the loss of a high amenity tree, that would cause unacceptable harm to the surrounding area. The previous consented crown reduction is considered, at present, to adequately address the concerns raised by the tree’s abnormalities. Regular review of the tree as recommended in the AAA report should continue with an internal decay assessment conducted if deemed appropriate. Therefore, insufficient supporting evidence has been provided to justify the felling of T1 Walnut and consent should be refused.

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  Naomi Reynard	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 11 June 2026	

