

**13 SE2003/3510/J – CUT BACK CEDAR TREES TO CREATE MINIMUM CLEARANCE OF 6M OVER NEW ACCESS AND ADJACENT TO A40 AND REMOVE DEADWOOD AT HUNSDEN MANOR, WESTON UNDER PENYARD, ROSS ON WYE****For: M F Freeman Ltd, Ruardean Works, Varnister Road, Nr Drybrook, Glos GL17 9BH****Date Received 14<sup>th</sup> November, 2003  
Expiry Date: 9<sup>th</sup> January, 2004****Ward: Penyard****Grid Ref: 63422328**

Local Member: Councillor H. Bramer.

**1. Site Description and Proposal**

- 1.1 This relates to two Cedar trees in the grounds of Hunsden Manor. These are protected as individual trees T1 and T2 in Hunsden Manor Hotel, Weston Under Penyard Tree Preservation Order 1989.
- 1.2 The submitted proposal indicates minor work to create clearance over the new access road in front of Hunsden Manor and where the trees border the A40. A clearance height of 6m was originally indicated. However, following negotiations this has been modified to 5m by the applicants arboricultural consultant after more accurate measurements were taken. In relation to the tree on the south east side of the new access road (T1) removal of one bough (about 150mm (6") diameter) is proposed. This had previously been cut back to leave it with no more than a small cluster of foliage. Some other minor trimming works are also proposed.

**2. Policies**

- 2.1 South Herefordshire District Local Plan:  
C.17 – Tree Management
- 2.2 Herefordshire Unitary Development Plan (Deposit Draft):  
LA5 – Protection of trees, Woodlands and Hedgerows
- 2.3 Hereford and Worcester County Structure Plan:  
CTC11 – Trees and Woodlands

**3. Planning History**

- 3.1 Planning permission for four houses with garage block and new access (code SE2002/3900/F) was granted on 20<sup>th</sup> February 2003. Conditions were imposed to protect trees subject to the Tree Preservation Order upon the site together with other trees shown to be retained in a landscaping scheme which was to be prepared.

#### 4. Representations

4.1 The applicant's arboricultural consultant has provided a report in relation to the two trees. The reason for the works is to avoid damage to high-sided vehicles such as removal trucks, etc. He reports that recent impacts with high-sided vehicles travelling at speed along the A40 have been observed.

4.2 Weston Under Penyard Parish Council advise:

"After consideration, councillors have asked me to reply that in their opinion no work is necessary to the cedars: the site foremen compared the height of the lowest branches to a 6m pole and it was felt that the clearance seemed acceptable for any vehicle to pass and the cedars appear to meet existing highways standards.

4.3 Representations have been received from Mrs G D Lodge of Rudge House Farm, Weston Under Penyard. Comments included:

- a) there is uncertainty about which branches are to be affected.
- b) the trees deserve special consideration due to their age and importance.
- c) tall vehicles appear to travel under the trees without any problem
- d) on driveway, removal of limb previously partly cut back would not be detrimental to the shape of the tree, nor would the proposal for the trimmer branch.

#### 5. Officer Appraisal

5.1 Officers have sought to clarify the extent of the proposed works with the applicant's agent. It has now been agreed that a clearance height of 5m would be more appropriate after more accurate measurements were taken with a ranging pole. It was found that the original height just touched a major limb that was not intended for removal. The 5m clearance applies only to material directly over the carriageway and no additional pruning is proposed for growth on either side, even though this may hang below 5 metres. The pruning will be confined to minor shoots and some branches. No major limbs are to be removed; as previously indicated the largest bough to be removed is a single limb which is 150mm(6") in diameter and which has previously had works to cut it back to leave no more than a small cluster of foliage. The applicant's arboricultural consultant has supplied photographs highlighting the areas for attention.

5.2 Both trees are of outstanding visual amenity and of local importance. The impact of such minor works, however, will not be detrimental to this amenity. This proper and timely removal may avoid accidental damage that could be detrimental to the tree's health and form. A watching brief during work would ensure the visual amenity and health of the trees is properly controlled.

## RECOMMENDATIONS

It is recommended that Consent be GRANTED for works to the trees covered by a Tree Preservation Order subject to the following conditions:

1. The works hereby approved shall be carried out to provide a clearance of 5 metres above the carriageway in accordance with the agent's letter and illustrations dated 6<sup>th</sup> December, 2003.

Reason: For the avoidance of doubt.

2. Ten clear working days notice of commencement of the tree works hereby authorised shall be given in writing to the local planning authority (LPA) and access during works shall be afforded to the LPA's representative to undertake an arboricultural watching and advisory brief.

Reason: To ensure works are carried out in accordance with the consent.

3. The works hereby approved shall be carried out in accordance with BS 3998: 1989

Reason: To ensure the works are carried out in accordance with good arboricultural practice and maintain the visual quality of the site and surrounding area.

4. The works must be begun not later than the expiration of two years from the date of this permission.

Reason: To ensure the that works hereby approved are appropriate to the specific application for which they were approved, in view of the likely growth of the trees in question.

## Background Papers

1. Development Control File SE2003/3900/F
2. Herefordshire Unitary Development Plan (Deposit draft)
3. South Herefordshire District Local Plan
4. Hereford and Worcester County Structure Plan
5. Tree Preservation Orders – a Guide to the Law and Good Practice (DETR, March 2000)
6. BS 3998:1989 -