TPO/NO1/2021 – Oakfield, Skipton Old Road, Colne

History

In 2018 the Principal Environment Officer had some dealings with the owner of the property. At which time it was made clear that if the Officer felt that the Horse Chestnut tree was under threat from removal then a Tree Preservation Order (TPO) would be placed on it.

Following those conversations a section 211 notice was received by the Council to crown lift the Chestnut. This was allowed due to the work being acceptable.

On the 18th December 2018 a planning application was received by the Council to build 2 properties on the land adjacent to the Horse Chestnut (19/0941/FUL). The application was invalid.

On the 4th August 2020 a second application was submitted for the site (20/0493/FUL). In its first iteration of the plans they showed fencing, a water main and a portion of the foundations within the root protection area of the tree. As a result the Principal Environment Officer raised an objection to the application on the basis of impacts on the tree. Included in the application was an arboricultural consultants report. In the report the tree was given a category B2 rating (BS 5837:2012) with the comment 'In relative close proximity to top of retaining wall to Skipton Old Road. No major disturbance noted. Reasonable vitality. Minor dead wood and old branch stumps all typical of species. Recent crown lifting over garden area - several occluded and partly occluded pruning wounds to stem.' The only recommendations stipulated was to monitor the tree.

During early December the Principal Environment Officer was contacted by one of the bridge engineers from Lancashire County Council Highways Department. They had received a complaint with regard to the retaining wall that borders Oakfield and Skipton Old Road. The complaint was regarding the condition of the wall and the trees affecting it. A site meeting took place on the 11th December 2020 between the Principal Environment Officer and one of the Bridge Engineers. Both the officers agreed that at present the Horse Chestnut tree was not causing damage to the wall and the section in front of the tree was one of the better sections. They also agreed that the other selfseeded trees were doing damage and needed to be removed. The Highways Authority are able to do this under the powers as Statutory Undertakers without the consent of the Council. If the landowner wished to remove the trees then a section 211 notice would be required.

In a phone conversation with the landowner at around 2pm on 18th December 2020 with regard to the application to remove 2 Ash trees (20/0816/TCA) the landowner raised concerns about self-seeded trees close to the retaining wall of the property. The Principal Environment Officer stated that he would support an application to remove the self-seeded trees as these were mainly Ash that had Ash Dieback infections and were causing problems with the wall. He again reiterated that should a section 211 notice come into remove the Horse Chestnut that he would place a TPO on the tree.

Emails between the landowner and the County Council (the Principal Environment Officer was copied in) demonstrate continued attempts by the landowner to persuade the Highways Authority to remove the tree.

Condition

The tree is a large, mature Horse Chestnut situated on a banking close to the border of the property approximately 1.5 metres from the retaining dry stone wall. The stem is in good condition with no sign of lesions, extrusions or fungal fruiting bodies. The stem bifurcates into two main leaders at a height of approximately 1.8m. The leader to the south east (over the garden) is the dominant leader. There are several occluded and partially occluded wounds from previous pruning operations. These all appear to be fine and demonstrate no cause for concern. There is some minor dead wood in the canopy and all branch stumps which are normal for the species. Shoot extensions are good showing good vitality and physiology.

Some trail pits have been dug within the rooting environment of the tree. Data received from LCC show that the trial pit closest to the stem went to a depth of 0.35m. Due to the machine used and the depth of the pit it is unlikely to have cause damage to the roots of the tree. The second trial pit was right on the edge of the predicted root protection area of the tree (using BS 5837:2012 methodology) and although went to a depth of 2m is unlikely to have cause and damage. The tree has a life

The tree roots are likely to be interacting with the drystone retaining wall that borders the property and Skipton Old Road in the possibility that they are within the gaps between the stones. The Principal Environment Officer and the Bridge Engineer from LCC have both examined the wall and agree that the tree is not causing damage at this point in time. As part of the planning application submitted on the site (20/0493/FUL) a report was supplied. The report was written by a well-respected arboricultural consultant. In their comments the consultant states 'In relative close proximity to top of retaining wall to Skipton Old Road. No major disturbance noted.'

Amenity Value

The tree is located on the boundary of Skipton Old Road and is clearly visible from the pavement opposite and the road itself. It is regularly passed by both pedestrians and vehicular traffic. To the south of the site is a public right of way which is clearly visible on aerial photographs. The tree is also currently visible from this location.

The area in which the tree is situated is urban fringe and as such large deciduous trees feature greatly. The Horse Chestnut contributes highly to the character of the area.

The property falls within the Lidgett and Bents Conservation Area and in particular the Standroyd area. The Conservation Area Character Appraisal describes the Standroyd area as:

'Standroyd marks a change in character; the lane is sunken as it negotiates the steepening slope, creating a dark damp enclosure of trees, hedges and earth banks. On the southern bank behind the trees lie Standroyd and a line of large detached houses sitting in gardens. From the raised land either side of the lane there are views across the fields to the north, which are invisible from the lane. Bents - a block of three storey eighteenth century weavers' cottages and twentieth century semis give this section a mixed pleasant character. Tall mature trees establish the character north of Bent Lane, maintaining the character of the Standroyd section but without the sunken lane. The character of Bents hamlet is considered under Bent Lane below.'

It is clear to see that trees contribute highly to the amenity value of the conservation area.

Other factors

Horse Chestnuts are listed on the IUCN Red Data list as vulnerable to extinction.



Figure 1 - Horse Chestnut from path on Skipton Old Road heading west from Bents



Figure 2 - Horse Chestnut from footpath on Skipton Old Road heading east from Lidgett



Figure 3 - Horse Chestnut and wall



Figure 4 - Image of wall and tree

Tree Evaluation for Preservation Order

Date:	25/01/2021	Surveyor:	Lee Johnson					
Tree Details	Tree Details							
			Tree/Group					
TPO Reference	: TPO/NO1/2021		Number:	T1				
				SD 9048				
Owner:	Mr. P. Cunningham		Location:	4063				
Species:	Horse Chestnut							

Part 1 - Amenity Assessment

a) Condition & suitability for TPO

Score	Condition	Suitability	Notes
5	Good	Highly Suitable	Tree is in good condition
3	Fair/Satisfactory	Suitable	with minor dead wood
1	Poor	Unlikely to be suitable	noted. Some pruning wounds that are either occluded or partially
0	Dead/Dying/Dangerous [*]	Unsuitable	occluded.

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span & suitability for TPO

Score	Retention Span (years)	Suitability	Notes
5	100+	Highly Suitable	Although tree is close to
4	40-100		retaining wall it is not
2	20-40	Suitable	causing any disturbance as of yet. No reason why
1	10-20	Just Suitable	this tree could not be
0	<10*	Unsuitable	rtain in excess of 20 years

* Includes trees which are an existing or near future nuisance, including those <u>clearly</u> outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

Score		Situation	Suitability	Notes
	5	Very large trees with some visibility or prominent large trees	Highly Suitable	Tree is located on the boundary of the site with Skipton Old Road and is
	4	Large or medium trees clearly visible to the public	Suitable	clearly visible from the road and footpath opposite. Road has a
	3	Medium trees, or large trees with limited view only	Suitable	moderate occupancy level. Road has a speed limit of 30mph. At the
	2	Young, small or medium/large trees visible only with difficulty	Barely Suitable	time of the survey the footpath had moderate occupancy.
	1	Trees not visible to the public, regardless of size	Probably suitable	

Additional Notes

d) Other factors

Trees must have accrued 7 or more points to qualify

Score	Factor	Notes
5	Principal components of formal arboricultural features, or veteran trees	The tree is a relatively nice tree. It has had some work carried out to it in the past which hasn't been the best. Hence
4	Tree groups, or principal members of groups important for their cohesion	the scoring in this section. However, Horse Chestnut is listed as vulnerable to extinction on the IUCN Red List.
3	Trees with identifiable historic, commemorative or habitat importance	
2	Trees of particularly good form, especially if rare or unusual	
1	Trees with non of the above additional redeeming features (inc. those of indifferent form)	
-1	Trees with poor form or which are generally unsuitable for their location	

Part 2 - Expediency Assessment

Tree must have accrued 10 or more points to qualify

5Immediate threat to tree inc. s.211 Notice3Foreseeable threat to tree4The tree is under threat from development and the owners	
2 Earosaphla throat to troa	
	repeated
2 Perceived threat to tree attempts at trying to get the h	
1 Precautionary only authority to remove the tree.	

Part 3 - Decision Guide

	Retention Span		
Score	(years)	Total Score	Decision

Any 0 1-6 7-11	Do not apply TPO TPO indefensible Does not merit TPO	15	ΤΡΟ
12-15 16+	TPO defensible Definitely merits TPO		

Surveyor Signature:	Date: 25/01/2021

Tree Evaluation for Preservation Order

No.	Species	Age	Height (m)	Diam. (mm)	Crown Spread (m)	Height & Direction of first Branch (m)	Vitality	Remaining Contribution (Years)	Category	Comments	Recommendations
T1	Horse Chestnut	М	19	525	N9 E7 S8 W8	3W	G	20+	В2	 Tree is in decent condition with minor deadwood in the canopy. Some occluded and partially occluded pruning wounds. Tree is close to retaining wall but is not currently causing any damage. 	 Remove deadwood. Monitor