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## Application for Tree Works: Works to Trees Subject to a Tree Preservation Order (TPO) and/or Notification of Proposed Works to Trees in a Conservation Area

Town and Country Planning Act 1990 (as amended)

### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### Tree Location

Please provide the address of the site where the tree(s) stands (full address if possible)

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

**If the location is unclear or there is not a full postal address, describe as clearly as possible where it is**

(for example, 'Land to rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road')

## Applicant Details

### Name/Company

Title

First name

Surname

Company Name

### Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

### Contact Details

Primary number

Secondary number

Fax number

Email address

## What Are You Applying For?

Based on the type of work proposed and the location and protected status of the trees involved, there are various details and supporting information that will need to be supplied in order for the Local Planning Authority to determine the application.

### Are you seeking consent for works to tree(s) subject to a Tree Preservation Order?

- Yes  
 No

Do you know the Tree Preservation Order reference number(s)?

- Yes  
 No

Please enter the title or number for each relevant Tree Preservation Order

Please indicate whether the reasons for carrying out the proposed works include any of the following.

If so, your application MUST be accompanied by the necessary evidence to support your proposals ([see guidance notes for further details](#)).

Condition of the tree(s) - e.g. it is diseased or you have fears that it might break or fall

- Yes  
 No

If Yes, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

Alleged damage to property - e.g. subsidence or damage to drains or drives.

- Yes  
 No

If Yes, you are required to provide for:

- **Subsidence** - A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.
- **Other structural damage** (e.g. drains walls and hard surfaces) - Written technical evidence from an appropriate expert, including description of damage and possible solutions.

### Are you wishing to carry out works to tree(s) in a conservation area?

- Yes  
 No

### Documents and plans (for any tree)

A sketch plan clearly showing the position of trees listed in the question 'Identification of Tree(s) and Description of Works' MUST be provided when applying for works to trees covered by a Tree Preservation Order.

A sketch plan is also advised when notifying the LPA of works to trees in a conservation area ([see guidance notes](#)).

It would also be helpful if you provided details of any advice given on site by an LPA officer.

Are you providing additional information in support of your application (e.g. an additional schedule of work for the question 'Identification of Tree(s) and Description of Works')?

Yes

No

If Yes, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application

This application is for the urgent removal of a severely diseased tree. The tree is situated in the Boughton Conservation Area and is within the curtilage of an historic listed building. It is positioned at the junction of three properties, including CWAC public land, in a tight inaccessible location and is overgrown to the extent that it impacts upon my neighbours property at 134 Boughton at roof level, who have been complaining and alleging it is causing damage at high level to the roof and wall of their property.

As such, tree pruning works were granted consent on 13th November 2023, application number: 23/02916/TPO. During the course of the permitted works, a large covering of ivy was removed and the surface of the tree was revealed for the first time in over 8 years. The two main forks of the tree were weak and unsafe, owing to significant fungal growth at the base that no longer provided a structural anchor, and there was clear evidence of ash dieback.

Should these branches and forks fall, there is a potential threat to life and property, as the tree lies directly over two historic 3 metre high listed boundary walls; the driveway for the adjacent multi-storey apartment block; a large garage and the publicly accessible green space adjacent to the public highway on Boughton. During high winds that impact on this area in spring and autumn, an adjacent tree dropped large branches onto the high boundary wall between my property and the the adjacent Cheshire West and Chester owned land, causing partial collapse of the historic wall (a listed building structure) and incurring thousands of pounds of damage in mandatory repair works that were necessary to be done by a specialist historic wall craftsman, in order to restore the wall to its former historic appearance.

The professional firm of tree surgeons who were undertaking the works were unable to complete the tree pruning, owing to the dangerous state of the branches and as such, the remaining branches are still impacting on neighbouring property.

For all these reasons and in particular, owing to the poor condition of the tree and the potential danger to life and property, the removal of the tree is now considered to be extremely urgent, in the expert opinion of the tree surgeons who were carrying out the work. Since the site is landlocked, is extremely difficult to access, has no pedestrian access at all, and can only be accessed by a temporary platform across a garage roof, a two stage removal process in this case is not practical or reasonable.

The Tree Officer, Ryan McConnell, was immediately informed, he attended site on the day of the discovery of the decay, has personally seen the evidence and was supplied with photographic evidence as well (3rd April 2024). His assessment was that owing to the extent of decay, the tree would not recover, that he believed a 5 day emergency removal was not necessary but that he would support an application for removal of the tree.

## Identification of Tree(s) and Description of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out

11/00013/ORD

Tree Number 10 - Ash.

Urgent removal of entire tree, owing to severe decay, see previous section above for full details.

You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work.

Where trees are protected by a Tree Preservation Order, please number them as shown in the First Schedule to the Tree Preservation Order where this is available. You should use the same numbering on your sketch plan (see below for sketch plan requirements).

Please provide the following information:

- Tree species
- The number used on the sketch plan; and
- A description of the proposed works.

Where trees are protected by a Tree Preservation Order you must also provide:

- Reasons for the work; and where trees are being felled
- Proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

e.g. Oak (T3) – Whole crown reduction to 12m above ground level, to provide sufficient clearance to property.

### Sketch plan requirements

Your plan needs to show the precise location of the tree(s) in relation to nearby property/roads/boundaries. It should, therefore:

- indicate the main features of the site where the tree(s) stand and its surroundings; in particular, you should:
  - mark and name surrounding roads
  - sketch in buildings, including adjoining properties
  - add house numbers or names
- mark the position of the tree(s) to which you want to carry out work and identify them by the number shown in the Tree Preservation Order where possible; if you use a different number, please make sure that this can be matched with your description of the tree(s)
- if there are many trees on the site, make clear which tree(s) are included in this application by:
  - marking all trees on the plan, but only numbering those to which you want to carry out work
  - showing the approximate distance between the application tree(s) and buildings
  - adding other relevant features on the site (e.g. greenhouse, paths)

If it is impossible to identify the tree(s) accurately on the plan (e.g. because they are part of a woodland or group of trees), please identify their approximate location on the plan and provide details of how the tree(s) are marked on site (e.g. high visibility tape, tree tags, paint, etc); trees must not be marked by scarring or cutting into the bark.

## Tree Ownership

Is the applicant the owner of the tree(s)?

- Yes  
 No

## Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes  
 No

## Declaration

I/We hereby apply for Tree works: Trees in conservation areas/subject to TPOs as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

A Williams

Date

11/04/2024