

6 **Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 3

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
We most strongly object to this application, because of the following: 1 Two Oaks have already been destroyed and a third one damaged in order to accommodate Mr Chism's shed. 2 Mr Chism's shed is built under the Oaks on the very edge of the ditch. 3 Mr Chism's shed looks to be about twenty foot high from the centre of the ditch. 4 We find it hard to believe that a construction such as this belongs in a built up residential area. 5 The shed is an eyesore. 6 The Oaks are an important, attractive amenity for the area, not only do they look good they serve a necessary roll in taking up water when the ground becomes saturated in the area, they are also an important habitat and source of food for the wildlife. 7 We have an electric pump installed in the garden, which we use during heavy rain, gales and high tides as we are prone to flooding.	Comments noted.

8 The previous owner of 14 St Hermans road, had a similar request for his greenhouse, but after realising the facts he kindly and sensibly moved his green house, then built up the bank on his side of the ditch and put in substantial fencing he did not interfere with the Oak Trees, which are on our property.	
---	--

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- Whether the degree of pruning works requested would undermine the amenity value of these trees and whether this could also be harmful to their ongoing health and vitality.

7.2 My inspection related specifically to assessing the proposed works rather than generally inspecting the tree's health and condition in any great detail. I visually inspected the tree from ground level and the following report deals with the relevant issues that have been raised on site, in the application form and from my site observations.

7.3 This application to undertake work to a tree protected by a Tree Preservation Order relates to the proposed pruning by removal of a limb growing to the north on one Oak tree located just outside the rear boundary of the applicant's property.

The Oak is one of a group which runs along the rear gardens of St Hermans Road. It is a relatively small specimen, which, on its own is fairly unremarkable, but as a group, does provide some amenity value to the street scene as a backdrop to the properties on St Hermans Road and Southwood Road.

Located beneath the tree in the rear garden of the applicant's property is a wooden cabin which gained retrospective planning permission in 2017. A low limb from the Oak is now resting on the roof of the cabin which can be said to be causing an actionable nuisance. As this is the case it is unreasonable to consider a refusal as this limb now has the potential to cause damage to the structure if left.

Alternative pruning was considered but given the weight of the limb and limited target pruning points, removal of this low limb is the only option.

It is noted that the applicant is not the owner of the tree, therefore the contractor will need to obtain the tree owners consent to carry out work back to the trunk and also to enter the land, however this is a private issue.

8 **Conclusion**

Given the potential for damage to the wooden structure if this limb was to remain, permission should be granted.

9 **RECOMMENDATION:**

That the Head of Neighbourhood Support be authorised to **GRANT TPO CONSENT** for application APP/21/00279 subject to the following conditions

- 1 The tree works for which consent is hereby granted shall not be carried out otherwise than in full accordance with all relevant content of BS 3998 (2010).

Reason: In the interests of tree health and safety.

- 2 The tree works for which consent is hereby granted shall be carried out and completed no later than one year from the date of this permission.

Reason: To control the timing of the works.