

Recommendation: **GRANT TPO CONSENT**

5 Statutory and Non Statutory Consultations

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: 4

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary: I am in receipt of your letter dated the 7th November 2016 concerning the application/proposal by others, to reduce the crown of the Oak tree, in my garden by 1.2m and cut back to the previous pruning points on the western face. Tree within Area 1, subject to TPO 1005. I must object to this latest application, being the owner of this tree, as this particular tree was subjected to a major reduction to the trees crown and cut back of a considerable number of lower branches in June/July 2012. This was all to enable my next door neighbour at No 18 Durham Gardens at the time, to sell their property, which they successfully achieved within 6 months. The tree in my opinion at that time was reduced too much, as my neighbour requested the tree surgeon to thin out its density to allow further light into his garden. Upon your visit prior to the proposed reduction, you informed me any further surgery to any tree, cannot be carried out for at least 8 to 10 years, except if damaged or in poor state of health. Now here we are 4 years later, the tree has barely had time to regrow what it previously lost and some person(s) are insisting on further reduction in height etc. This is not a viable way to act as this will certainly affect the change and the overall shape and size of the tree.

Comment: Objection noted. The works applied for are considered minimal and have been reduced from their original specification after discussion between HBC Arb and the applicant.

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.

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.

The application is in relation to an Oak tree found in the rear of a property in Durham Gardens. The tree is a mature specimen and is displaying what appears normal in vigour and vitality. The tree was inspected from the neighbouring property and

therefore the base of the main stem could not be assessed for its condition. The tree has heavily restricted views from the street scene and therefore has no particular amenity value. The canopy has become unbalanced and extends over the boundary creating shading to both gardens. The tree forms part of an Area TPO with other species close by. The original application included a crown reduction of 1.2m, however the tree only requires minimal works since it still appears to be in good order in terms of its cyclical management. The cutting back to the previous pruning points on the western sector should help to marginally increase the natural light to the gardens and help to reshape the canopy without causing detriment to the health of the tree and any public amenity value.

8 **Conclusion**

Recommend Permission

9 **RECOMMENDATION:**

That the Head of Neighbourhood Support be authorised to **GRANT TPO CONSENT** for application APP/16/01143

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 pruning/surgery for which consent is hereby granted shall not exceed the following: Cut back to previous pruning points on western sector. Tree within Area A1, subject to TPO 1005.
Reason: To safeguard the health and well being of the tree(s) and its/their importance in the local landscape.
- 3 The tree works for which consent is hereby granted shall be carried out and completed no later than 02/01/18.
Reason: To control the timing of the works