

Recommendation: **GRANT TPO CONSENT**

Councillor Gary Robinson

Councillor Mark Inkster

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: 5

Number of site notices: At least one site notice exists - check the number.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
This tree was there before they moved in, there is a large group of young trees at the bottom of their garden, I would think they would get more light by removing this small wood created at the bottom of their garden.. The Oak has probably been there for over 100 years. There are more large oaks in this area and I would not like to see a snowball effect started.	Noted
This property was sold in May 2021, so the new owner has bought the house knowing that the tree was there, and having seen the size of it. They should also have been made aware of the TPO on the tree through their legal searches etc. The owner not liking the shade from a tree which is protected by a TPO is no reason to allow its removal. The tree looks healthy and has a good structure in the attached pictures, and will be supporting bird life as well as having a positive impact on air quality and CO2 uptake. Any replacement planting would take decades to replicate this.	Noted

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 felling of one Oak tree located in the rear garden of the above property. Upon inspection it was considered that felling was not justified therefore with the applicant's agreement this application has been modified to a crown reduction.

Although the tree stands in the rear garden it still holds some public amenity value as it can be glimpsed between the houses. The crown now extends entirely over the garden area and into both neighbouring properties. It would appear that a bonfire was historically lit beneath the tree and more recently a chimenea was lit beneath it. Some damage has occurred but this would appear to be historic damage rather than recent. The tree otherwise appears to be in a fair condition but with some dead wood within the crown. Historic pruning of the laterals over the neighbouring garden is evident.

The description has been modified to a reduction of the laterals and a limited reduction of the height which will help to manage the tree in its location and reduce the encroachment over the garden areas. The work proposed will not affect the health or amenity value of the tree.

8 Conclusion

The work proposed is considered to be appropriate and proportionate and therefore permission should be granted.

9 **RECOMMENDATION:**

That the Head of Neighbourhood Support be authorised to **GRANT TPO CONSENT** for application APP/21/00815

(A)

(B) for the following reasons/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 decision notice.
Reason: To control the timing of the works