

Reference:	19/02023/TPO	
Ward:	St Laurence	
Proposal:	Fell to ground level and grind stump 1 Cherry and 1 Bird Cherry Tree, Maintenance prune, reduce crown to previous points, grind stump various trees at land adjacent 9 and 10 Four Sisters Close and 1, 3, 5 and 7 Four Sisters Way (Works to Trees covered by a Tree Preservation Order).	
Address:	Land at junction of Four Sisters Way and fronting Rayleigh Road, Eastwood, Essex	
Applicant:	Rick Milsom, Southend-On-Sea Borough Council	
Agent:	N/A	
Consultation Expiry:	29.11.2019	
Expiry Date:	13.01.2020	
Case Officer:	Scott Davison	
Plan No's:	Location of Tree Plans	
Recommendation:	GRANT CONSENT FOR WORKS TO PRESERVED TREES	



1 Site and Surroundings

- 1.1 This group of trees are located on a piece of open space between Four Sisters Way and Rayleigh Road, The land forms a buffer between the houses and the main road. The trees form an attractive group in the streetscene and have significant public amenity value. The trees are covered by blanket Tree Preservation Order (Ref: TPO/TPO 05/94).

2 The Proposal

- 2.1 The applicant seeks consent to fell to ground level and grind to a stump, 1 Cherry tree and 1 Bird Cherry tree and to prune various trees located in the green space fronting Four Sisters Way adjacent to Rayleigh Road. The pruning works proposed are:

T2 Pilar Apple (TPO 5/94 T26) Crown reduction to previous points
T4 Norway Maple (TPO 5/94 T24) Maintenance and prune
T5 Norway Maple (TPO 5/94 T23) Maintenance, prune and to reduce canopy by 2m from property on the east side and balance into upper canopy
T7 Norway Maple (TPO 5/94) remove epicormic growth
T8 Norway Maple (TPO 5/94) Maintenance and prune
T11 Red Horse Chestnut (TPO 5/94 T20) Maintenance and prune
T12 Red Horse Chestnut (TPO 5/94 T19) Maintenance and prune
T13 Red Horse Chestnut (TPO 5/94 T21) Maintenance and prune
T14 Norway Maple (TPO 5/94) Maintenance and prune
T15 Cherry (TPO 5/94 T17) Fell to ground level and grind stump
T16 Norway Maple (TPO 5/94 T15) Reduce crown all round by approx. 1.5m
T18 White Willow (TPO 5/94 T12) Reduce to crown to previous reduction points.
T20 White Willow (TPO 5/94 T10) Reduce crown to previous reduction points.
T21 Bird Cherry stump (TPO 5/94 T8) Grind Stump
T22 Bird Cherry (TPO 5/94 T9) Grind Stump
T23 Bird Cherry (TPO 5/94 T7) Fell to ground and grind stump

- 2.2 Where the proposed works are described as maintenance and prune, the works specification is confirmed as crown lift to a height 4.5m where the tree canopy is over roads and a crown lift to 2.5m where the tree canopy is over paths. Other works includes the removal basal and epicormic growth. (*Basal growth is the new shoots that start growing up at the base of shrubs. Epicormic growth includes new shoots along tree branches and tree trunks.*)
- 2.3 The reason given for the works is for general maintenance to clear paths, roads and properties. The application states that tree planting is to be carried out within the site with a minimum of 6 trees to be planted. Details of the trees to be planted have not been submitted.

3 Relevant Planning History

- 3.1 08/01088/TPO Prune 13 trees on north side of Rayleigh Road at junction with Four Sisters Way (Application for works to trees covered by a Tree Preservation Order TPO 5/94) Consent for Works to Trees

- 3.2 14/01001/TPO Prune various trees at land adjacent 9 and 10 Four Sisters Close and 1, 3, 5 and 7 Four Sisters Way (works to trees covered by a Tree Preservation Order) Consent for Works to Trees.

4 Representations Summary

Public Consultation

- 4.1 Councillor Cowan has called the application in for consideration by the Development Control Committee.
- 4.2 Twenty Six neighbours were consulted and a site notice was displayed. One response was received. It is summarised below.
- The bird cherry trees have been havens for flocks of Goldfinches and other hedge birds and offer food and dense cover than willows and maples on the border. The numbers of birds visiting the trees have reduced since the two trees died. All the trees should be replaced by samplings of identical species.

Parks

- 4.3 No objection.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (NPPF), (2019).
- 5.2 Core Strategy (2007) Policies KP2 (Development Principles) and CP4 (Environment & Urban Renaissance)
- 5.3 Development Management Document (2015) Policy DM1 (Design Quality)
- 5.4 Southend Design & Townscape Guide (2009).

6 Planning Considerations

- 6.1 When determining a TPO application the authority should consider the following:
- The likely impact of the proposal on the amenity of the tree and whether or not the proposal is justified having regard for the reasons for the application and any supporting information supplied with the application;
 - Whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;
 - Whether any requirements apply in regard to protected species;
 - Whether there are any other material considerations, including development plan policies.

7 Appraisal

- 7.1 The Council seeks to protect preserve trees which make a positive contribution to the townscape of an area. Applications for pruning of preserved trees therefore need to be justified.
- 7.2 These are council owned trees and the application has been made by the Council's Arboricultural Officer. The works are required for general maintenance purposes to reduce the encroachment over the paths, roads and onto the neighbouring properties. The works have been recommended for approval by a Parks Officer who considers that the works are "appropriate and fully reflect those required given the present condition of the individual trees concerned and their position within a location of this type. The tree removals are required due to the decayed and poor condition of the two cherry trees." There is therefore no objection to this proposal.
- 7.3 The proposed works including the reduction of crowns by up to 4.5m and the removal basal and epicormic growth. It is not considered that the proposed works would be detrimental to the amenity and ongoing health of the trees or their retention. As such the trees would still contribute positively to the open landscaped environment and wider surrounding area after the works have been undertaken.
- 7.4 There is also no known evidence of protected species or nesting birds, however, as a precaution, a condition could be imposed to ensure that the works are carried out in accordance with British Standard BS3998 which covers the protection of wildlife and its habitat.
- 7.5 The works proposed are therefore considered to be acceptable and policy compliant.

8 Recommendation

8.1 GRANT CONSENT FOR WORKS TO PRESERVED TREES subject to the following conditions.

- 01 The works covered by this consent must be begun not later than the expiration of two years beginning with the date of this consent.**

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and Southend Design and Townscape Guide (2009).

- 02 The works shall be carried out in accordance with BS 3998 (2010) Tree Work by a suitably qualified person.**

Reason: In the interests of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and Southend Design and Townscape Guide (2009).

- 03 The pruning works to trees at the land fronting Four Sisters Way covered by TPO 5/94 shall be restricted to: T2 Pilar Apple (TPO 5/94 T26) Crown reduction to previous points, T4 Norway Maple (TPO 5/94 T24) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T5 Norway Maple (TPO 5/94 T23) Maintenance, prune crown lift to a maximum height of 4.5m and remove basal and epicormic growth and to reduce canopy by 2m from property on the east side and balance into upper canopy, T7 Norway Maple (TPO 5/94) remove epicormic growth, T8 Norway Maple (TPO 5/94) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T11 Red Horse Chestnut (TPO 5/94 T20) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T12 Red Horse Chestnut (TPO 5/94 T19) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T13 Red Horse Chestnut (TPO 5/94 T21) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T14 Norway Maple (TPO 5/94) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T15 Cherry (TPO 5/94 T17) Fell to ground level and grind stump, T16 Norway Maple (TPO 5/94 T15) Reduce crown all round by approx. 1.5m, T18 White Willow (TPO 5/94 T12) Reduce to crown to previous reduction points, T20 White Willow (TPO 5/94 T10) Reduce crown to previous reduction points, T21 Bird Cherry stump (TPO 5/94 T8) grind stump, T22 Bird Cherry (TPO 5/94 T9) grind stump and T23 Bird Cherry (TPO 5/94 T7) fell to ground and grind stump.**

Reason: In the interests of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and Southend Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

01. The applicant is informed that tree numbers 7, 8, and 14 are not covered by TPO 5/94.