

Reference:	20/00953/TPO	
Application Type:	Tree(s) subject to TPO	
Ward:	St Laurence	
Proposal:	Crown reduce Robinia to side of dwelling by 2-2.5 metre all round with varying quantities of reduction to best pruning points to leave balanced tree following the form of the crown (Application for works to a tree covered by a Tree Preservation Order)	
Address:	59 The Bentleys, Eastwood, Essex	
Applicant:	Miss Jade Hardy	
Agent:		
Consultation Expiry:	20th July 2020	
Expiry Date:	4th August 2020	
Case Officer:	Abbie Greenwood	
Plan Nos:	Application Form dated 1.6.20, Tree Location Map, Photo of Tree	
Recommendation:	GRANT CONSENT TO CARRY OUT WORK TO TREES	



1 Site and Surroundings

- 1.1 The tree is a mature robinia of around 12 metres in height with a crown spread averaging 10 -11 metres diameter. It is located within a raised planting bed to the east side of 59 The Bentleys adjacent to the parking area.
- 1.2 The tree is highly visible in the streetscene and makes a positive contribution to the character of the area.
- 1.3 The tree is covered by TPO 3/2000 T1.

2 The Proposal

- 2.1 The application initially proposed to reduce the height of the tree to 3 metres and the spread by 3 metres all round but, the applicant has agreed to amend the application following discussions with the Councils Arboricultural Officer. The amended scope of works are as follows:
 - 2-2.5 metres would be adequate on this species of tree with varying quantities of reduction on each cardinal point pruning to best pruning points to leave the tree balanced and following the form of the crown.
- 2.2 The reason given for the works is general maintenance including sap dropping onto cars below.

3 Relevant Planning History

- 3.1 00/00752/TPO - Prune robinia to side of dwelling – refused

4 Representation Summary

Public Consultation

- 4.1 11 neighbouring properties were consulted and a site notice was displayed. No letters of representation have been received.
- 4.2 The application was called to committee by Councillor Flewitt.

Parks

- 4.2 The tree is twin stemmed. There is an area of damage/canker at the base of the stem. The very top of the crown has some minor die back and there is dead wood present within the crown, the dead wood is not a sign of ill health in this case as the overall physiological health of the tree appears to be good. The tree growth is likely to be restricted due to its position within a small raised planting bed.

The application is to reduce the height of the tree by 3 metres and the spread by 3 metres all round. The spread on the northern side of the tree is approx. 4 m. To remove 3 m would have a significant impact on its amenity which is unacceptable. It is therefore recommended that the scope of works be amended to:

- crown reduction of 2-2.5 metres with varying quantities of reduction on each cardinal point pruning to best pruning points to leave the tree balanced and following the form of the crown.

5 Planning Policy Summary

- 5.1 The 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 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 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 preserved trees which make a positive contribution to local character. Applications for pruning and felling of preserved trees therefore need to be justified.
- 7.2 The tree is a mature specimen in a prominent location which provides significant public amenity and makes a positive contribution to the character of the area. There is no objection to general maintenance works provided that they are appropriate for the current condition of the tree.
- 7.3 The initial proposal to reduce the height of the tree to 3 metres and the spread by 3 metres all round was considered to be excessive however the applicant has agreed to amend the scope of works to that recommended by the Council's Arboricultural Officer which is as follows:
 - crown reduction of 2-2.5 metres with varying quantities of reduction on each cardinal point pruning to best pruning points to leave the tree balanced and following the form of the crown.
- 7.4 The amended proposal is considered to have an acceptable impact on the health and amenity of the tree and the proposal is acceptable and policy compliant in this regard.

- 7.5 In relation to other issues, there are no known subsidence concerns related to this application. The reason given for the works is general maintenance and to reduce sap dropping onto cars.
- 7.6 There is also no known evidence of protected species or nesting birds, however, as a precaution, a condition has been imposed to ensure that the works are carried out in accordance with British Standard BS3998 which covers the protection of wildlife and its habitat.
- 7.7 There are no other relevant planning policy considerations in this instance. It is therefore considered that the amended scope of pruning works is acceptable and the application is recommended for approval on this basis.

9 Recommendation

9.1 Members are recommended to GRANT CONSENT TO CARRY OUT WORK TO 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 advice in the Southend Design and Townscape Guide (2009).

02 The works to the robinia tree covered by TPO 3/2000 T1 shall be restricted to crown reduction of 2-2.5 metres with varying quantities of reduction on each cardinal point pruning to best pruning points to leave the tree balanced and following the form of the crown.

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 the Southend Design and Townscape Guide (2009).

03 The works shall be carried out in accordance with British Standard BS 3998 (2010) 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 the Southend Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns.

As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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.