

**A01**

**TPO/TH/20/1103**

PROPOSAL: R/TPO/1(1968) - 1No Sycamore (T1442) - Reduce over-extended, south facing limb by 2.5m from tips, 1No Lime (T1446) - False pollard to 18m above ground level, 1No Lime (T1447) - False pollard to 15m above ground level

LOCATION: Land Opposite 24 Old Hall Drive Cliffsend RAMSGATE Kent CT12 5LE

WARD: Cliffsend And Pegwell

AGENT: Mr Joseph Weitzel

APPLICANT: Thanet District Council

RECOMMENDATION: Approve

Subject to the following conditions:

1 This approval is only valid for a period of 24 months from the date hereof. Failure to carry out any or all of the approved work within this period will make it necessary to submit a fresh application.

**GROUND;**

In accordance with Part 4 Regulation 17 of Town and Country Planning (Tree Preservation) (England) Regulation 2012.

2 The works approved by this consent shall not exceed those specified on the application form. They should be carried out by a competent tree surgeon and in accordance with British Standard BS 3998: 2010 "Tree Work - Recommendations".

**GROUND;**

In accordance with Part 4 Regulation 17 of Town and Country Planning (Tree Preservation) (England) Regulation 2012.

**SITE, LOCATION AND DESCRIPTION**

Old Hall Drive is a residential street in the village of Cliffsend, around 2 miles west of Ramsgate. It is bordered by residential development to the south and the east, being in close proximity to Foads Lane, a busy through road connecting parts of the village. There are train tracks to the north and open fields to the west.

Dwellings to the northern part of the street are arranged around an area of open space that makes up the application site. The open space is irregular in shape with public footpaths on all sides. To the west the site separates Old Hall Drive and Earlsmead Crescent. It is approximately 0.16 hectares in area and hosts two groups of trees, one coppice adjacent to No.s 22-26 Old Hall Drive, and a pair adjacent to No.s 59-63 Old Hall Drive. These groups of trees are covered by a Tree Preservation Order (TPO) (ref: R/TPO/1(1968) which also protects trees more widely west of Foads Lane, including trees running along the rear of dwellings on Old Hall Drive, Earlsmead Crescent and Beech Grove. There are larger clusters protected to the south of Beech Grove and between Delacourt Close and Primrose Way.

### RELEVANT PLANNING HISTORY

TPO/TH/19/1130 - R/TPO/1(1968) - 10no. Lime - Crown raise by 2m, 10no. Lime - Remove epicormic growth up to height of 2.5m and 1no. Lime - Remove damaged branch. Granted 18 October 2019.

### PROPOSED DEVELOPMENT

This application seeks permission to reduce an over-extended south facing limb by 2.5m from the tip to 1No Sycamore (T1442), a false pollard to 18m above ground level of 1No Lime (T1446), and a false pollard to 15m of 1No Lime (T1447).

### NOTIFICATIONS

A site notice was posted close to the site. No letters of representation have been received.

### CONSULTATIONS

**TDC Tree Officer** : Grant

Recommendations: T1442, reduce overextended south facing limb to 2.5m from tips. T1446 false pollard to 18m not 15m. The reason for this is because the crowns of the limes are so close. So to false pollard will allow differences in false pollard's and therefore new crown development at different heights. T1447 false pollard to 15m for the same reason. The reasons for the variability in false pollards proposed (T1446 and T1447) is to allow these trees to develop effective crowns long term and reduce interaction of crowns minimising branch rubbing long term.

Additional Thoughts: I recommend after this work is done that an assessment be made to the remaining trees to ascertain whether any work may be required on these. So all trees harmonise together well and retain maximum health and safety as much as is feasible.

### COMMENTS

This application for works to protected trees is brought to Planning Committee as the application is made by Thanet District Council.

## **Principle**

The proposed works are to a number of protected trees. A Tree Preservation Order (TPO) is an order made by a local planning authority (LPA) to protect specific trees, groups of trees or woodlands in the interests of amenity. Orders prohibit the cutting down, topping, lopping, uprooting, wilful damage and wilful destruction of trees contained in the Order without the LPA's written consent. These prohibited activities are set out in Regulation 16 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012. As a result there is no in principle objection to works to a TPO tree, subject to an assessment of the works.

The LPA can choose to grant consent subject to conditions, or to refuse consent for works. In considering an application, the LPA should assess the impact of the proposal on the amenity of the area and whether the proposal is justified, having regard to the reasons and additional information put forward in support of it. The authority must be clear about what work it will allow and any associated conditions. Should an application for works be refused, the applicant can appeal to the Secretary of State, and in some circumstances compensation may be payable by LPA for loss or damage which results from the authority refusing consent or where consent is granted subject to conditions.

It falls to now be considered subject to an assessment of the details of the proposal, the impact of the works on the amenity of the area, the health of the trees, and any applicable living conditions of neighbouring occupiers or members of the public.

## **Amenity**

Trees are important to the character and quality of an area, providing a visual break and relief from built development. They can lend character, in particular to conservation areas, and provide many other benefits, including the provision of natural habitats, the enhancement of health and wellbeing and the improvement of air quality. As such the retention of trees where possible are always sought.

Tree T1442 is a large established Lim on the southern edge of the group that appears to have one limb stretching toward the street. This limb appears large and low and the tree has a slight lean. The works proposed to it are to cut back this limb by 2.5m to reduce some of the weight on it. The Council's Tree Officer has commented that this, along with the others in the group, appear to be in good condition generally. As the trees are quite close together this has led to a preponderance to vertical growth. Both T1442 and T1447 are growing outwards to gain light, however the Tree Officer notes that these appear to be very robust. The works to T1442 are considered to be acceptable, reducing the weight on this limb and maintaining the health and amenity of the tree.

Tree T1446 is another Lime, with works proposed to undertake a false pollard to 15m above ground level. The works are stated to be to address a fungal bracket at 50cm above ground level on the north-east facing side and some desiccated bark on the east facing union 3.5m above ground level. It appears from the justification given that these works are to address a number of issues with the bark of the tree and to retain its health and vitality. A false pollard is a reduction of the crown that's between compromise between a gentle reduction and a full pollard. Initially the proposal was for a 15m false pollard from ground level, however on

inspecting the trees the Council's Tree Officer considered that it would be in the best interests of the tree to an 18m false pollard because of the proximity of trees to one another and the amount of vertical growth and competition created by the proximity. Allowing a larger false pollard would, in his view, create a difference in the overall heights of the trees that are close together and reduce this competition to produce crowns of varying heights and spreads. As a result the applicant has sought to amend their comments in line with the recommendation by the Tree Officer and this is considered to be in the interests of the group collectively.

Tree T1447 is also a Lime and originally permission was sought for a 2.5m tip reduction due to stem lean and light suppression on the north west side. The Council's Tree Officer recommends that instead of a 2.5m reduction, a 15m false pollard from ground level should be undertaken to allow the trees (T1446 and T1147) to develop effective crowns long term and reduce interaction of crowns, minimising branch rubbing long term. Again the applicant has agreed to amend the proposal to reflect these comments and the works are considered to be in the best interests of the trees and to retain their future amenity value.

Some deadwood removal would be carried out to the resultant group and consent would not be required for this.

Works were approved to the group last year for the removal of epicormic growth and a 2m crown raise (TPO/TH/19/1130). In recommending approval of these works consideration has been given to the overall and cumulative impact of works undertaken to the trees. Those approved previously were considered to be modest and the works here, alongside those previously granted, are not considered to create harm to the conditions of the trees as a result of this recommendation.

For the reasons given above the application is recommended for approval.

## **Conclusion**

The works proposed here are in the best interests of the trees. There is some competition in the group for light and space given the proximity of the trunks to one another and crown spread. The works are considered to represent a balance between the health and vitality of the trees and the amenity value they currently have and will continue to possess after the works. It is therefore recommended that Members approve the application subject to conditions.

## **Case Officer**

Vicky Kendell

TITLE:

TPO/TH/20/1103

Project

Land Opposite 24 Old Hall Drive Cliffsend RAMSGATE Kent CT12 5LE

