

A02

TPO/TH/20/1652

PROPOSAL: M/TPO/3(1952)G7 - 1No Sycamore (T1) - North facing limb overhanging 1 Crispe Park Close to be reduced back to the growing point which is 2m from the main stem

LOCATION: Crispe Park Crispe Park Close BIRCHINGTON Kent CT7 9BN

WARD: Birchington South

AGENT: Mr Joseph Weitzel

APPLICANT: Miss Emma Penny, 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

Crispe Park is a public park and amenity land located between residential developments in Birchington. To the north and east of the park is a line of protected trees, with those to the north sitting along the boundary with the park and nearby residential properties.

Number 1 Crispe Park Close is a two storey dwelling that sits adjacent to the northeast corner of the park and is the property listed as being affected by this application.

RELEVANT PLANNING HISTORY

None.

PROPOSED DEVELOPMENT

This application seeks permission to reduce the north facing limb hanging over the boundary with No. 1 Crispe Park Close, seeking to cut it back to 2m from the main stem.

NOTIFICATIONS

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

Birchington Town Council: Supports the application.

CONSULTATIONS

TDC Tree Officer : Grant

Recommendations: This appears a very healthy tree with good shape and form. The work is acceptable.

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 protected tree. 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.

The Sycamore in question is a large tree with a good crown spread. It has a single limb that currently extends over the rear of No. 1 Crispe Park Close, facing northwest and sits in close proximity to the boundary with this property. The applicant states that this limb is causing damage to the nearby property.

This limb does not materially add to the amenity value of the tree and is a single point of growth spreading away from the main crown. Its reduction would therefore not be likely to result in any loss to the amenity value of the tree or the wider group of trees in this area. As a result the works are considered by Officers to be acceptable and represent an appropriate balance between the management and health of the tree, and living conditions of nearby property occupiers.

Other works sought surround the removal of ivy which does not usually require consent and would be in the best interests of the tree.

Conclusion

The works proposed here are relatively modest and are not considered to result in any harm to the value of the tree as an individual or part of a group within the setting of the park or from the street. The removal of ivy will be in the best interests of the tree and as such the works are considered to be acceptable and Officers recommend the application be granted.

Case Officer

Vicky Kendell

TITLE: TPO/TH/20/1652

Project Crispe Park Crispe Park Close BIRCHINGTON Kent CT7 9BN

