

**A08**

**TPO/TH/21/0114**

PROPOSAL: M/TPO/3(1952)G3 - 1No Norway Maple (T1)- Remove 6m from cross branch on right side, 1No. Sycamore (T2) - Crown lift by

LOCATION: 6m

Land On The South Side Of Alpha Road BIRCHINGTON Kent

WARD: Birchington South

AGENT: No agent

APPLICANT: Mr Steven Powell

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

Alpha Road is a long, predominantly residential, street in Birchington that runs behind the high street. It is tree lined along most of the length of the road, and finishes with an area of public open space to the western intersection between Alpha Road and Station Road.

This area of public open space is roughly triangular in shape and covers an approximate area of 0.14 hectares. It is referred to as 'Dog Acre' and is situated between residential properties, shops and community buildings to the north, a public car park to the east, and commercial properties and residential properties to the south and west.

The site contains a number of trees that provide an important physical and visual separation between built form in this densely populated urban area, and these trees are protected by a group Tree Preservation order (TPO) (M/TPO/3(1952)G3).

#### RELEVANT PLANNING HISTORY

None.

#### PROPOSED DEVELOPMENT

This application seeks permission to cut back 6m along a cross branch of a Maple and to crown lift a Sycamore by 6m.

#### 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 Biodiversity and Horticulture Officer :** Grant

T1 tree of good shape and form though has low limb to path (tree is end of central path towards pelican crossing to library)/T2 this tree is in good shape and form on top of a slightly raised area on the green towards the junction of Alpha road and Station Road).

Acceptability of Proposal - In view of T1's position on the path this is acceptable. In view of T2's position to the road this 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 two 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.

T1 is a Maple that sits in close proximity to the eastern edge of the area of open space. It is proposed to remove 6m from the cross branch reaching westwards. The Council's Tree Officer raises no objections to these works, and considers them appropriate given the proximity of the tree to a path between Alpha Road and Station Road.

T2 is a Sycamore on a slightly higher land level that has some low hanging branches to the bottom half of the crown. The works proposed are a 6m crown raise from the ground, with an inner crown raise of 1.5m. Again, the Council's tree Officer raises no objections based on the proximity of the tree to the highway, and the works are therefore considered acceptable, causing no harm to the overall health or amenity value of the trees concerned, and being in the interests of the maintenance of each.

### **Conclusion**

The works proposed are relatively modest in the context of the crown spread of each tree, 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 and as such the works are considered to be acceptable and Officers recommend the application be granted.

### **Case Officer**

Vicky Kendell

TITLE:

TPO/TH/21/0114

Project

Land On The South Side Of Alpha Road BIRCHINGTON Kent

