

REPORT SUMMARY

REFERENCE NO - 22/501366/TPOA		
APPLICATION PROPOSAL: TPO notification for works to T1 Mature Prunus - Lift complete crown, clean out crown, reduce crown from property, thin by 15% & remove decayed limb.		
ADDRESS: St Andrew's Park Tarragon Road Maidstone Kent ME16 0WD		
RECOMMENDATION: Permit subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL: The proposed works are considered appropriate arboricultural management.		
REASON FOR REFERRAL TO COMMITTEE: The trees are growing on Maidstone Borough Council -owned land and the application is made on behalf of the Council's Parks team.		
WARD Heath	PARISH/TOWN COUNCIL Unparished	APPLICANT Maidstone Borough Council AGENT Qualitree Services
DECISION DUE DATE 10/05/22	PUBLICITY EXPIRY DATE 10/08/22	OFFICER SITE VISIT DATE 20/07/22

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The tree subject to this application is located in the shared rear open space on the East side of St Andrews Park housing area.

2.0 PROPOSAL

2.01 The works proposed are as detailed:

2.02 T1 – Prunus:

- Crown lift canopy to provide adequate space under the tree for maintenance and head room.
- Selective target pruning to give a minimum of 1 metre clearance from the adjacent building.
- Crown thin canopy by approximately 15%.
- Remove 1 no. limb with evidence of decay.

3.0 PLANNING CONSTRAINTS

3.01 Tree Preservation Order No.1 of 1994.

4.0 POLICY AND OTHER CONSIDERATIONS

4.01 Government Policy:
National Planning Policy Framework (2021)

Ministry of Housing, Communities & Local Government, Planning Practice Guidance, Tree Preservation Orders and trees in conservation areas, March 2014

4.02 Local Policy:
Maidstone Borough Local Plan October 2017 - Policy DM 3

Local Plan Review, Draft Plan for Submission (Regulation 19) October 2021

Maidstone Landscape Character Assessment (March 2012 amended 19 July 2013) and Supplement (2012- Saved Sections of the Landscape Character Assessment and Landscape Guidelines 2000)

4.03 Compensation:

A refusal of consent to carry out works to trees subject to a Tree Preservation Order can potentially result in a claim for compensation for loss or damage arising within 12 months of the date of refusal. The applicant is Maidstone Borough Council, so it is unlikely that such a compensation claim would arise as a result of a refusal of this application, but the Council could be liable to claims for damage or injury as a result of tree failure if identified hazards are not addressed. Not applicable if approved.

5.0 LOCAL REPRESENTATIONS

5.01 A site notice was displayed on the 20th July 2022 and expired on the 10th August 2022.

5.02 No representations received at the time of writing this report.

6.0 CONSULTATIONS

6.01 No consultation responses received at the time of writing this report.

7.0 BACKGROUND PAPERS AND PLANS

7.01 Application form, plan and proposal clarification submitted.

8.0 APPRAISAL

8.01 T1 on application form (T57 in TPO).

Contribution to public visual amenity:

Limited – visible only with difficulty or only small part of crown visible

Condition:

Fair – showing minor signs of deterioration and/or defects

Useful life expectancy:

Long - with an estimated remaining life expectancy of at least 20 Years

Comments: The proposal for T1 – Prunus is to raise the canopy to provide adequate head room under the tree as well as selective target pruning to provide a minimum of 1 metre clearance from the adjacent building. Further work to thin the canopy by approximately 15% is also proposed along with the removal of 1 No. limb showing

signs of decay. These works are consistent with good arboricultural practice and are considered necessary and appropriate measures on the grounds of health and safety. Therefore it is recommended that the application is permitted.

9.0 CONCLUSION

9.01 The proposed works are considered necessary and appropriate arboricultural management and are therefore acceptable.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS to include

(1) All works hereby permitted shall be carried out in accordance with the provisions of the current edition of BS 3998 by a competent person;

Reason: To ensure the work complies with good arboricultural practice to safeguard the longevity, amenity and nature conservation value of the tree/s and its/their contribution to the character and appearance of the local area

INFORMATIVES

(1) Works to trees could result in disturbance to wild animals, plants and important wildlife sites protected by law. Therefore, the works hereby permitted should be carried out in a manner and at such times to avoid disturbance. Further advice can be sought from Natural England and/or Kent Wildlife Trust.

(2) The material generated from the tree work hereby permitted should be disposed of, or processed as necessary, to leave the site in a safe and tidy condition following each phase/ completion of the work.

Case Officer: Phil Gower

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.