

## REPORT SUMMARY

<b>REFERENCE NO - 22/501310/TPOA</b>		
<b>APPLICATION PROPOSAL:</b> TPO application to carry out tree works as per Tree Location Plan (and List of Works received 12/04/22).		
<b>ADDRESS:</b> Ashurst Road Open Space Ashurst Road Maidstone Kent ME14 5PZ		
<b>RECOMMENDATION</b> Permit subject to condition(s)		
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b> The proposed works are considered appropriate arboricultural management.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> The trees are growing on Maidstone Borough Council -owned land and the application is made on behalf of the Council's Parks team.		
<b>WARD</b> East	<b>PARISH/TOWN COUNCIL</b> Unparished	<b>APPLICANT</b> Maidstone Borough Council <b>AGENT</b> Qualitree Services
<b>DECISION DUE DATE</b> 09/05/22	<b>PUBLICITY EXPIRY DATE</b> 05/05/22	<b>OFFICER SITE VISIT DATE</b> 03/08/22

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 1.01 The tree(s) subject to this application are located along the North boundary of Ashurst Road Open Space rear of 13, 15, 17, 19, 21, 23 & 25 Blendon Road

### 2.0 PROPOSAL

- 2.01 The proposed works are described as:
- 2.02 T2 – Sycamore – Reduce overhang by 2.5m (5.5m to 3m) and lift to 5m from ground level.
- 2.03 T4 – Sycamore – Remove basal growth, reduce overhang by 3m (7.5m to 4.5m) and lift to 5m from ground level.
- 2.04 T6 – Sycamore – Reduce overhang by 3m (6m to 3m) and lift to 5m from ground level.
- 2.05 T7 – Sycamore – Remove
- 2.06 T8 – Sycamore – Monolith to 6m from ground level.
- 2.07 T9 – Sycamore – Lift to 6 meters from ground level.

2.08 T11 – Oak – Lift to 5m from ground level and reduce overhang by 3.5m (8.5m to 5m)

2.09 T12 – Hawthorn – Remove lower limb and formative prune.

2.10 G1 - Coppice

### **3.0 PLANNING CONSTRAINTS**

3.01 Tree Preservation Order No.3 of 1971: A1

### **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 20<sup>th</sup> of July 2022 and expired on 10<sup>th</sup> of 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 T2 on application form (A1 in TPO).

Contribution to public visual amenity:  
Limited – visible only with difficulty or only small part of crown visible

Condition:  
Good – no significant defects noted

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

Comments: Proposal to reduce overhang of the canopy to the North by approximately 2.5 metres and lift the crown to 5 metres from ground level.

8.02 T4 on application form (A1 in TPO).

Contribution to public visual amenity:  
Limited – visible only with difficulty or only small part of crown visible

Condition:  
Good – no significant defects noted

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

Comments: Proposal to reduce overhang of the canopy to the North by approximately 3 metres. Remove basal growth and crown lift to the height of 5 metres from ground level.

8.03 T6 on application form (A1 in TPO).

Contribution to public visual amenity:  
Limited – visible only with difficulty or only small part of crown visible

Condition:  
Good – no significant defects noted

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

Comments: Proposal to reduce overhang of the canopy to the North by approximately 3 metres. Crown lift to the height of 5 metres from ground level.

8.04 T7 on application form (A1 in TPO).

Contribution to public visual amenity:  
Poor – not visible to the public

Condition:  
Good – no significant defects noted

Useful life expectancy:  
Medium - estimated remaining life expectancy of at least 10 years

Comments: Proposal to remove the tree to ground level. The tree is a small/young self-seeded tree located on the fence line of the adjacent property.

8.05 T8 on application form (A1 in TPO).

Contribution to public visual amenity:  
Reasonable – limited views only/partially blocked by other features

Condition:  
Poor – obvious decline/ health and/or structural integrity significantly impaired

Useful life expectancy:  
Medium - estimated remaining life expectancy of at least 10 years

Comments: Proposal to remove the main crown and retain the remaining stem as an 'artificial stag' or monolith at approximately 6 metres from ground level due to a major cavity showing decay at 7 metres.

8.06 T9 on application form (A1 in TPO).

Contribution to public visual amenity:  
Poor – not visible to the public  
Limited – visible only with difficulty or only small part of crown visible

Condition:  
Good – no significant defects noted

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

Comments: Proposal to lift crown to 6 metres from ground level.

8.07 T11 on application form (A1 in TPO).

Contribution to public visual amenity:  
Limited – visible only with difficulty or only small part of crown visible

Condition:  
Good – no significant defects noted

Useful life expectancy:  
Very Long - with an estimated remaining life expectancy of at least 40 Years

Comments: Proposal to lift crown to 5 metres from ground level and reduce the overhang on the Northern side of canopy back by approximately 3.5 metres.

8.08 T12 on application form (A1 in TPO).

Contribution to public visual amenity:  
Poor – not visible to the public

Condition:

Fair – showing minor signs of deterioration and/or defects

Useful life expectancy:

Medium - estimated remaining life expectancy of at least 10 years

Comments: Proposal to remove the low overhanging limb to the north and formative prune the remaining crown.

8.09 G1 on application form (A1 in TPO).

Contribution to public visual amenity:

Reasonable – limited views only/partially blocked by other features

Condition:

Good – no significant defects noted

Useful life expectancy:

Medium - estimated remaining life expectancy of at least 10 years

Comments: Proposal to coppice patch of young self-seeded sycamore trees, The removal of the group will have a significant visual effect on the immediate area in the short term, however I feel this would be a good opportunity to allow the natural regeneration and development of native species saplings already present to establish.

## 9.0 CONCLUSION

- 9.01 The proposed works above are in line with good arboricultural practice and consistent with a sustainable approach to tree management. The works are considered necessary/appropriate and are therefore arboriculturally acceptable.

## 10.0 RECOMMENDATION – GRANT Subject to the following conditions:

### CONDITIONS to include

(1) Any coppiced tree, which dies within two years from the date of the coppicing work, shall, in the same location, be replaced during the next planting season (October to February) by another tree of the same species. The tree shall be of not less than Nursery light STD size (6-8cm girth, 2.5-2.75m height), conforming to the specification of the current edition of BS 3936, except where an alternative proposal has been submitted to and approved in writing by the local planning authority prior to that planting season, and shall be maintained thereafter;

Reason: To safeguard the successful regeneration and longevity of the coppice and its contribution to amenity and nature conservation

(2) Any tree planted in accordance with the conditions attached to this permission, or in replacement for such a tree, which within a period of five years from the date of the planting is removed, uprooted, destroyed, dies, or becomes, in the opinion of the

local planning authority, seriously damaged or defective, shall, in the same location, be replaced during the next planting season (October to February) by another tree of the same species and size as that originally planted, except where an alternative proposal has been submitted to and approved in writing by the local planning authority prior to that planting season;

Reason: To safeguard the amenity and nature conservation value of the tree/s that has/have been removed and to maintain and enhance the character and appearance of the local area

(3) 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) All cut timber/wood between 30cm and 100cm in diameter, together with any senescent and rotting wood, should be retained and stacked safely on site for the colonisation of saproxylic organisms, except where an alternative proposal has been submitted to and approved in writing by the local planning authority.

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.