

## REPORT SUMMARY

<b>CASE REFERENCE:</b> 23/502061/TPOA		
<b>ADDRESS:</b> Ashurst Road Open Space Ashurst Road Maidstone Kent ME14 5PZ		
<b>PROPOSAL:</b> TPO application to crown reduce one multi-stemmed Sycamore to height of 18m, width to 7m.		
<b>RECOMMENDATION:</b> <b>Application Permitted</b> – subject to CONDITIONS / REASONS and INFORMATIVES		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> The works are considered appropriate arboricultural management.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> The application has been made by Maidstone Borough Council		
<b>PARISH:</b>	<b>WARD:</b> East	
<b>APPLICANT:</b> Maidstone Borough Council	<b>AGENT:</b> Qualitree Services	
<b>CASE OFFICER:</b> Paul Hegley (MBC)	<b>SITE VISIT DATE:</b> 23.05.2023	
<b>DATE VALID:</b> 04.05.2023	<b>CONSULTATION EXPIRY:</b> 02.06.2023	<b>DECISION DUE:</b> 29.06.2023

## RELEVANT PLANNING HISTORY

### Planning:

**17/505404/TPO** - TPO Application for 1 x Prunus - remove tree, 1 x Cherry - remove dead wood and lift over path to 3m, 1 x Sycamore - lift to 5m over path, 1 x Conifer - lift to 3m on stem all round, 1 x Cherry - lift to 3m over path, 1 x Hawthorn - reduce by 50% and sever Ivy, 1 x Sycamore - lift over path to 3m and reduce off garden by up to 3m - **Approved** - **11.12.2017**

**22/501310/TPOA** - TPO application to carry out tree works as per Tree Location Plan (and List of Works received 12/04/22). - **Approved** - **19.10.2022**

**22/504642/TPOA** - TPO application to crown reduce remaining stem of one Mature Hawthorn (has had 1x dead stem removed under an exemption notice). - **Invalid No Further Action** - **09.11.2022**

**22/504772/TDD** - Removal of Dead and or hanging branches from trees located behind play area goal posts. - **No Objection** - **29.09.2022**

**22/505588/TPOA** - TPO Application to T1 (dead stem previously removed under exemption notice). Clean out crown & complete crown reduction (of remaining stem).

**- Invalid No Further Action - 10.01.2023**

**23/500453/TPOA** - TPO application to coppice one Hawthorn tree. - **Approved** - **01.06.2023**

**23/502061/TPOA** - TPO application to crown reduce one multi-stemmed Sycamore to height of 18m, width to 7m. - **Pending Decision** -

**TA/0080/12** - Tree Preservation Order, TPO No. 3 of 1971, application for consent to crown reduce 1no Walnut by 40%. - **Approved** - **17.07.2012**

**TA/0134/08** - An application for consent to crown reduce by 30% one Walnut tree and two Sycamore trees and fell to ground level one Sycamore tree; all trees being subject to Tree Preservation Order No. 3 of 1971. - **Approved** - **23.12.2008**

**TA/0068/09** - An application for consent to remove two lower branches from one Oak Tree, where overhanging 17 Blendon Road, Maidstone; tree subject to Tree Preservation Order no. 3 of 1971. - **Approved** - **20.07.2009**

**TA/0096/08** - An application for consent to fell and treat stumps of 11 Sycamore trees, fell one Cherry tree, fell two Norway Maple trees, fell one Silver Birch tree, fell one Conifer tree, fell one Sycamore tree; all trees being part of Tree Preservation Order No. 3 of 1971. - **Approved** - **09.10.2008**

**TA/0187/04** - An application for consent to crown lift to 2.5m above pathway 1 no. tree subject to Tree Preservation Order no. 3 of 1971, thin by 25% and cut back from property by 4m. - **Planning Permission Not Required** - **04.07.2005**

## **MAIN REPORT**

### **1. DESCRIPTION OF TREES**

- 1.01 The tree subject to this application is a mature Sycamore located along the northern boundary of the park, close to the adjacent rear gardens or properties along Blendon Road.
- 1.02 The Sycamores overall physiological condition is generally good for its species although a large open cavity has formed at the base of the main trunk to the south, which without appropriate management is likely to compromise the tree's long-term structural integrity.

### **2. PROPOSAL**

- 2.01 Crown reduce one multi-stemmed Sycamore to height of 18m, width to 7m.

### **3. PLANNING CONSTRAINTS**

- 3.01 Tree Preservation Order No.3 of 1971:

Located within Area A1 – consisting of 48 various species.

#### **4. POLICY CONSIDERATIONS**

##### 4.01 Government Policy:

National Planning Policy Framework (2021)

Planning Practice Guidance Tree Preservation Orders and trees in conservation areas, March 2014.

The Town and Country Planning (Tree Preservation)(England) Regulations 2012

##### 4.02 Compensation:

A refusal of consent to carry out works on 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.

#### **5. LOCAL REPRESENTATION**

5.01 None received.

#### **6. CONSULTATIONS**

6.01 None made.

#### **7. APPRAISAL**

##### 7.01 Condition:

**Fair** – Showing minor signs of deterioration and/or defects.

##### 7.02 Contribution to public amenity:

**Good** – Clearly visible to the public.

##### 7.03 Retention/Longevity:

**Medium** – Estimated remaining life expectancy of at least 10 years.

#### **8. CONCLUSION**

8.01 The presence of the developing open cavity at the base of the Sycamore is a safety concern, so the proposed reduction works to reduce windsail and structural loading at the base of the tree is considered appropriate management.

#### **9. RECOMMENDATION**

9.01 **Grant Consent** – Subject to the following CONDITIONS / REASONS and INFORMATIVES.

Conditions:

- (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) All cut timber/wood between 15cm and 60cm 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:** Paul Hegley (MBC)

NB – For full details of all papers submitted with this application, please refer to the relevant Public Access Pages on the Council’s website.