

REPORT SUMMARY

REFERENCE NO - 22/500544/TPOA		
APPLICATION PROPOSAL: TPO Application for group of 8 x (G1) Tilia - Remove epicormic growth, thinning crowns.		
ADDRESS: The Trinity Foyer 20 Church Street Maidstone Kent ME14 1LY		
RECOMMENDATION Permit subject to condition(s)		
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 High Street	PARISH/TOWN COUNCIL Unparished	APPLICANT Maidstone Borough Council AGENT Qualitree Services
DECISION DUE DATE 09/05/22	PUBLICITY EXPIRY DATE 06/04/22	OFFICER SITE VISIT DATE 20/07/22

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The trees subject to this application are located within the open green space of Trinity Park along the South (rear) boundary and run adjacent to Holy Trinity Church.

2.0 PROPOSAL

- 2.01 The proposed works are described as:
- 2.02 G1 – 8 no. Limes:
Remove basal and epicormic growth from trunks and thin canopy by 20%.

3.0 PLANNING CONSTRAINTS

- 3.01 Tree Preservation Order No.32 of 1973.

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 of July 2022 and expired on 10th 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 G1 on application form (G6 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:
Very Long - with an estimated remaining life expectancy of at least 40 Years

Comments: The proposal is to remove all the epicormic growth to the main crown break and to crown thin the canopies by approximately 20%. The application refers to 8 no. trees, however only the first 6 from the Southwest entrance to the park are protected under the TPO with the two remaining trees only being protected by virtue of the Conservation Area. The works proposed are in line with good arboricultural practice and so are consistent with good tree management. 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.