

REPORT SUMMARY

REFERENCE NO - 22/502567/TPOA		
APPLICATION PROPOSAL: TPO application to: T1 Sycamore, Fell to 2ft above ground (multiple fractures) for safety; G1 Sycamores, Lift to 5m above ground level (park side) to allow space; T2 Sycamore, Lift to 3.5m above ground & thin by 15% plus deadwood, to allow space and for maintenance purposes; G2 Cherries, Lift to 3m above ground & thin by 15% to allow space and for maintenance purposes.		
ADDRESS: Open Space at St Francis Close Penenden Heath Kent ME14 2TQ		
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 North	PARISH/TOWN COUNCIL	APPLICANT Maidstone Borough Council AGENT Qualitree Services
DECISION DUE DATE 11/08/22	PUBLICITY EXPIRY DATE 13/07/22	OFFICER SITE VISIT DATE 12/07/22

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The tree(s) subject to this application are located in the open green space of St Francis Close play area.

2.0 PROPOSAL

2.01 Works are proposed are detailed as:

T1 – Sycamore:

- Remove tree, retaining stump at 2ft.

T2 – Sycamore:

- Lift to 3.5 metres
- Thin by 15%

G1 – Sycamore:

- Lift to 5 metres

G2- Cherries

- Lift to 3m above ground and thin by 15%

3.0 PLANNING CONSTRAINTS

- 3.01 Tree Preservation Order No.2 of 2000.

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 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 (T20 in TPO).

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

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

Useful life expectancy:
Short – safe useful life expectancy of less than 10 years

Comments: The proposal is to remove T1 – Sycamore retaining the stump at approximately 2ft from ground level. The works are due to multiple cracks and fractures in the trees main branch structure.

8.02 T2 on application form (T19 in TPO).

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

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 is to crown lift the canopy to approximately 3.5 metres from ground level and thin the crown by 15%. The purpose of these works is to provide better head room when carrying out ground maintenance tasks and to promote less wind drag through the canopy. This will help elevate any tight unions or forks.

8.03 G1 on application form (G8 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: The proposal is to crown lift the Northeast side of the canopies to approximately 5 metres from ground level to provide better head room when carrying out ground maintenance tasks.

8.04 G2 on application form

The Cherries are not protected under the TPO and therefore the proposed works do not require permission.

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) 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.

(3) The proposed work to the Cherries, G2, (crown lifting to 3 metres from ground level and a 15% crown thin) do not require permission as they are not within any part of the TPO.

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.