

REPORT SUMMARY

CASE REFERENCE: 23/500453/TPOA		
ADDRESS: Ashurst Road Open Space, Ashurst Road, Maidstone, ME14 5PZ		
PROPOSAL: TPO application to coppice one Hawthorn tree.		
RECOMMENDATION: Application Permitted – subject to CONDITIONS and INFORMATIVES		
SUMMARY OF REASONS FOR RECOMMENDATION: Works are considered appropriate arboricultural management		
REASON FOR REFERRAL TO COMMITTEE: The application has been made by Maidstone Borough Council.		
PARISH:	WARD: East	
APPLICANT: Maidstone Borough Council	AGENT: Qualitree Services	
CASE OFFICER: Phil Gower	SITE VISIT DATE: 02.02.2023	
DATE VALID: 26.01.2023	CONSULTATION EXPIRY: 10.03.2023	DECISION DUE: 23.03.2023

RELEVANT PLANNING HISTORY

Planning:

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).

- **Proposal Amended** - **10.01.2023**

MAIN REPORT

1. DESCRIPTION OF TREES

1.01 The tree subject to this application is a small Hawthorn located within falling distance of the play park and footpath. The tree itself is in a state of decline with a recently failed stem which was removed under a 5-day notice.

2. PROPOSAL

- 2.01 The proposal seeks permission to coppice the tree in the hope of regenerating a healthier tree from the existing stock.

3. PLANNING CONSTRAINTS

- 3.01 Tree Preservation Order No. 3 of 1971:

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:

Poor – Obvious decline/health and/or structural integrity significantly impaired.

- 7.02 Contribution to public amenity:

Good – Clearly visible to the public.

- 7.03 Retention/Longevity:

Short – Safe useful life expectancy of fewer than 10 years.

8. CONCLUSION

- 8.01 The tree in its current state, is of poor quality and low long-term value. By permitting this application, we provide an opportunity for regeneration. The conditions (detailed below) ensure that should regeneration fail, then a replacement tree of the same species will still be planted.
- 8.02 The works are therefore considered appropriate arboricultural management.

9. RECOMMENDATION

GRANT CONSENT – Subject to the following CONDITIONS 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

- (2) 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 standard size (8-10cm girth, 2.75-3m height), conforming to the specifications 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 together with the character and appearance of the local area

- (3) 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

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: 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.