

REPORT SUMMARY

CASE REFERENCE: 24/504241/TCA		
ADDRESS: 20 The Trinity Foyer, First Floor Flat 1 Church Street, Maidstone, Kent, ME14 1LY		
PROPOSAL: Conservation Area Notification: T1 Sycamore - Crown raise to 4.5m above ground all round		
RECOMMENDATION: No Objections – subject to CONDITIONS / REASONS and INFORMATIVES		
SUMMARY OF REASONS FOR RECOMMENDATION: Works are considered acceptable in order to provide clearance for the nearby CCTV cameras.		
REASON FOR REFERRAL TO COMMITTEE: The application has been submitted by Maidstone Borough Council’s Park and Open Spaces Team.		
PARISH: Unparished	WARD: High Street	
APPLICANT: Maidstone Borough Council	AGENT: Qualitree Services	
CASE OFFICER: Lewis Bedwell	SITE VISIT DATE: 22.10.2024	
DATE VALID: 10.10.2024	CONSULTATION EXPIRY: 04.11.2024	DECISION DUE: 21.11.2024

RELEVANT PLANNING HISTORY

Planning:

23/505669/TPOA - TPO application to: Holly (T4) install a 3 way cobra system, Ash (T9) sever Ivy and deadwood, Cherry (T12) reduce large limb over footpath by 1m and deadwood and removal of two Ash (T13 and T15), - - **24.04.2024**

24/503538/TPOA - Tree Preservation Order application: T1 Sycamore, crown raise to 4.5m above ground all round (to enable CCTV) - **Invalid No Further Action - 09.10.2024**

24/504241/TCA - Conservation Area Notification: T1 Sycamore - Crown raise to 4.5m above ground all round - **Pending Decision** -

TA/0046/04 - An application for consent to remove stem and Basal suckers on 17 no. Lime Trees; All trees subject to Tree Preservation Order No. 32 of 1973 - **Approved - 07.05.2004**

Enforcement:

ENF/12533 - Enforcement Enquiry - Pre Application Advice Closed - 26.10.2015

Appeals:

None

MAIN REPORT

1. DESCRIPTION OF TREES

1.01 The Sycamore tree subject to this notification is growing towards the eastern boundary within the car park of Trinity foyer (as seen is photo 1 below)

Photo 1 – View of Sycamore from carpark



2. PROPOSAL

2.01 Crown raise to 4.5m above ground all round.

3. PLANNING CONSTRAINTS

3.01 Tree Preservation Order No.5004/2019/TPO:

Not listed within the TPO that covers this site.

3.02 Conservation Area:

Holy Trinity Church conservation area

4. POLICY CONSIDERATIONS

4.01 Government Policy:

National Planning Policy Framework (2023)

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 MBC Trees TPOA/TCA – No Objections

7. APPRAISAL

T1 Sycamore

7.01 Condition:

Good – No significant defects noted.

7.02 Contribution to public amenity:

Good – Clearly visible to the public.

7.03 Retention/Longevity:

Long – With an estimated remaining life expectancy of at least 20 years.

7.04 Comments / Considerations:

The Sycamore is a mature specimen comprising of three principal stems which fork at around 1m from ground level. All three stems are heavily ivy clad which hindered all full assessment, although at the time of inspection the tree's general physiological and structural condition appeared reasonable for its age and species.

General crown height is becoming low with a number of branches now interfering with an adjacent lamppost on which a CCTV camera is installed (as seen in photo 2 below)

Photo 2 – view of crown and restricted CCTV camera



The proposed crown lifting to 4.5m would remove the offending branches away from the lamppost and CCTV camera without detriment to the trees long term health or appearance. Consequently, I find the works to be acceptable.

8. CONCLUSION

8.01 The removal of the lower branches from the Sycamore to give a clearance of 4.5m is considered acceptable management given the reasons put forward for the works. Therefore, I raise no objections from an Arboricultural point of view.

9. RECOMMENDATION

9.01 **No Objections** – Subject to the following CONDITIONS / REASONS and INFORMATIVES

Informatives:

- (1) All works hereby permitted should be carried out in accordance with the provisions of the current edition of BS 3998 by a competent person.
- (2) Adjacent trees should be protected from damage during the course of the tree works hereby allowed/permitted in accordance with the current edition of BS3998. Any damage which occurs as a result of poor arboricultural practice and which affects the structural stability and/or health and longevity of adjacent trees may result in legal action against you.
- (3) 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.
- (4) 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: Lewis Bedwell

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