

# Development Management Delegated Decision Report

B/21/0378



## SUMMARY OF APPLICATION

<b>Application Reference</b>	B/21/0378		
<b>Application Type</b>	Application for works affecting a TPO		
<b>Proposal</b>	Application for works to trees subject to a Tree Preservation Order (Kirton, Sutterton & Algarkirk TPO No 1) to include: <ul style="list-style-type: none"> <li>• T1 Sycamore Tree – re-pollard to approx 4m in height;</li> <li>• T2 Horse Chestnut Tree – target pruning above main road by 2-3m and canopy lift of 2m;</li> <li>• T3 Sycamore Tree – reduce canopy by 3m and canopy raise of 2m; and</li> <li>• T4 Sycamore Tree – target pruning above main road by 2-3m and canopy lift of 2m</li> </ul>		
<b>Location</b>	79 London Road, Kirton, Boston PE20 1JE		
<b>Applicant</b>	Mr & Mrs Green		
<b>Agent</b>	Mr James Atkinson, Atkinson Arb		
<b>Received Date:</b>	11-Aug-2021	<b>Consultation Expiry Date:</b>	
<b>Valid Date:</b>	11-Aug-2021	<b>Statutory Expiry Date:</b>	<b>22-Sep-2021</b>
<b>Date of Site Visit:</b>	20-Sep-2021	<b>Extension of Time Date:</b>	---
<b>Objections received?</b>	None		
<b>5 day notification record:</b>	Not applicable		
<b>Councillors notified</b>	<b>Date</b>	<b>Response received – date</b>	<b>Ok to continue</b>
<b>Recommendation</b>	GRANT Consent for the proposed works		
<b>Report by:</b>	Simon Eldred		
<b>Date:</b>	20 <sup>th</sup> September 2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application concerns four mature trees located within the front garden to 79 London Road, Kirton, growing approximately 3m from the northern edge of London Road and behind a low yew hedge which defines the property's boundary with the highway. From the north-east to the south-west, they are:

- a sycamore which is annotated as T1 on the aerial photograph which accompanies the application. This tree is estimated to have a height of approximately 13m and a crown



spread of approximately 8m, and it has a sparse canopy and has suffered significant bark loss to its main stem. [This tree is believed to be protected as T1 of the Kirton, Sutterton and Algarkirk TPO No. 1 (1957)];

- a horse chestnut which is annotated as T2 on the aerial photograph which accompanies the application, but is identified as a castanea (i.e. a sweet chestnut on the application form). This tree is estimated to have a height of approximately 18m and a crown spread of approximately 10m, and it appears to be in good condition. [This tree is believed to be protected as T3 of the Kirton, Sutterton and Algarkirk TPO No. 1 (1957)];
- a sycamore which is annotated as T3 on the aerial photograph which accompanies the application. This tree is located to the north-east of the dwelling's vehicular access, and is estimated to have a height of approximately 19m and a crown spread of approximately 10m. It appears to be in good condition. [This tree is believed to be protected as T4 of the Kirton, Sutterton and Algarkirk TPO No. 1 (1957)]; and
- a sycamore which is annotated as T4 on the aerial photograph which accompanies the application. This tree is located to the south-west of the dwelling's vehicular access, and is estimated to have a height of approximately 18m and a crown spread of approximately 12m. It appears to be in good condition. [This tree is believed to be protected as T5 of the Kirton, Sutterton and Algarkirk TPO No. 1 (1957)].

### **DETAILS OF PROPOSAL:**

It is proposed to:

- T1 – pollard this tree to a height of approximately 4m above ground-level. These works are proposed in response to the tree's poor condition;
- T2 – prune the southern extent of its canopy to reduce the overhanging of the highway, and raise its canopy by approximately 2m. These works are proposed to reduce risks to highway users and to increase the availability of light to the property;
- T3 – reduce its height by approximately 3m, and raise its canopy by approximately 2m. These works are proposed to reduce its dominance over the horse chestnut, and to increase the availability of light to the property; and
- T4 – reduce by 2 to 3m the length of over-extended branches on the canopy's southern side and raise its canopy by approximately 2m. These works are proposed to reduce risks to highway users and to increase the availability of light to the property.

### **RELEVANT HISTORY:**

B/13/0231 – consent was granted for works to raise/reduce the crowns of three sycamores and one horse chestnut.

B/21/0059 – consent was refused for the reduction of the crowns of two sycamores and a horse chestnut by between 25% and 35%.

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

The provisions of the Government's Planning Practice Guidance are of relevance. The Guidance states "in considering an application, the local planning authority should assess the impact of the proposal on the amenity of the area and whether the proposal is justified, having regard to the reasons and additional information put forward in support of it. The authority must be clear about what work it will allow and any associated conditions."

### **CONSULTATION RESPONSES:**

No consultation responses have been received.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

No third party representations have been received.

### **EVALUATION:**

The trees are all large in size and, thanks to their location close to the highway edge, they are highly visible from London Road. They contribute significantly and positively to the area's character and, although their individual significance is reduced by the many other mature trees in the vicinity, they nonetheless have very significant public amenity value.

The proposed works will inevitably impact negatively upon their public amenity value, and will harm the amenity of the area in general. However, it is considered that the works are well justified, in particular–

- T1 is in poor condition and the proposed pollarding is considered to be a proportionate and reasonable response; and
- the proposed works to T2, T3 and T4 essentially amount to reasonable on-going maintenance.

### **RECOMMENDATION:**

GRANT Consent for these proposed works.

<b>INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE</b>
<p><b><u>STATEMENT OF PROACTIVE WORKING:</u></b></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>