

Development Management Delegated Decision Report

B/24/0107



SUMMARY OF APPLICATION			
Application Reference	B/24/0107		
Application Type	Application for works affecting a TPO		
Proposal	Application for works to trees subject to Tree Preservation Order (Kirton No 4) to include: T7 - Sycamore - Reduce back the side of the canopy by 2-3 meters (90% of the crown remaining)		
Location	21, Boston Road, Kirton, Boston, PE20 1DT		
Applicant	c/o Greenscape Tree Safe LTD		
Agent	Mr Darren Rush, Greenscape Tree Safe Ltd		
Received Date:	14-Mar-2024	Consultation / Publicity Expiry Date:	N/A
Valid Date:	28-Mar-2024	Statutory Expiry Date:	09-May-2024
Date of Site Visit:	25-Apr-2024	Extension of Time Date:	N/A
Objections received?	None.		
5 day notification record:			
	Councillors notified	Date	Response received – date
Recommendation	GRANT Consent, subject to conditions.		
Report by:	Megan Epton		
Date:	08-May-2024		

OFFICER REPORT

The tree this application relates to is located in the south west corner of an empty plot of land on Boston Road, Kirton (to the rear of Upsall Court) and is protected by Tree Preservation Order 'Kirton No.4'.

DETAILS OF PROPOSAL:



It is proposed to carry out maintenance on the tree by reducing the side of the canopy growing over its adjacent neighbour of 21, Boston Road.

RELEVANT HISTORY:

- B/13/0256 – **Works to TPO** - Application to remove a broken branch and crown clean a Sycamore Tree (T7) and fell a Maple (T5) covered by Kirton Tree Preservation Order No.4 (1995) – **Consent GRANTED**.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The trees are protected by the Kirton TPO No.4. The provisions of the Government's Planning Practice Guidance entitled 'Tree Preservation Orders and Trees in Conservation Areas' are of relevance to this proposal.

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:

East Lindsey District Council's Arboricultural Officer was consulted on the application and responded with no objections provided a condition be attached to the decision notice.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

The sycamore covered by Kirton TPO no.4 is located within the south west corner of a plot of land on Boston Road, Kirton. It is widely visible from public vantage points, growing large and well-established with its a large canopy growing over the driveway of the adjacent residential dwelling, 21 Boston Road.



The applicant proposes to reduce the canopy of the tree back by approximately 2-3m towards the fence line (leaving 90% of the crown in place) as it is currently leaning and growing over their property, with nuisance branches.

The consulted arboricultural officer commented the following:

“The proposal would seem reasonable. The tree is not a significant feature in the landscape and appears in good health and structural condition. The work proposed, if clearly defined by condition, is acceptable tree management and will not cause significant harm to the tree’s health and/or structural condition, and will cause only a slight visual effect on the amenity of the existing street scene”

Based on the above , it is considered that the works are justified and acceptable.

CONCLUSION:

Overall it is considered that the proposed works to tree T7 (Sycamore) of Kirton Tree Preservation Order No.4 are justified and acceptable.

RECOMMENDATION

GRANT Consent for these proposed works, subject to conditions.

CONDITIONS / REASONS	
1	<p>Work shall be limited to a reduction in the south-eastern radius of the crown, by means of shortening branches which are less than 3cm diameter, to achieve a crown radius of no less than 4.0 metres when measured from the outer edge of the stem to the outer edge of canopy.</p> <p>Reason: To define the extent of work permitted ensuring potentially harmful effects of pruning are minimised.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>