

## REPORT SUMMARY

<b>REFERENCE NO - 22/501994/TPOA</b>		
<b>APPLICATION PROPOSAL:</b> TPO application to crown thin two mature multi-stemmed Alders by 15% and reduce crowns from property boundary.		
<b>ADDRESS:</b> Land Rear Of 8 Gault Close Bearsted Maidstone Kent ME15 8PG		
<b>RECOMMENDATION:</b> Permit subject to conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL:</b> The proposed works are considered appropriate arboricultural management.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> The trees are growing on Maidstone Borough Council -owned land and the application is made on behalf of the Council's Parks team.		
<b>WARD</b> Bearsted	<b>PARISH/TOWN COUNCIL</b> Bearsted	<b>APPLICANT</b> Andy Jesson <b>AGENT</b> Qualitree Services
<b>DECISION DUE DATE</b> 15/06/22	<b>PUBLICITY EXPIRY DATE</b> 18/05/22	<b>OFFICER SITE VISIT DATE</b> 20/07/22

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 1.01 The tree(s) subject to this application are located on the edge of the river Len adjacent to the rear garden of 8 Gault Close

### 2.0 PROPOSAL

- 2.01 Works proposed are as detailed:

- 2.02 G1 – 2 no. multi-stemmed Alder Trees:

- Reduce the Northern aspect of canopies back from adjacent properties.
- Crown thin by 15%

### 3.0 PLANNING CONSTRAINTS

- 3.01 Tree Preservation Order No. 9 of 1975, W1

### 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 20<sup>th</sup> July 2022 and expired on 10<sup>th</sup> August 2022.

5.02 No representations received at the time of writing this report.

## 6.0 CONSULTATIONS

6.01 Bearsted Parish council recommends the approval of the application.

## 7.0 BACKGROUND PAPERS AND PLANS

7.01 Application form, plan and proposal clarification submitted.

## 8.0 APPRAISAL

8.01 G1 – 2 no. multi-stemmed Alder Trees on application form (W1 in TPO).

Contribution to public visual amenity:

Limited – visible only with difficulty or only small part of crown visible

Condition:

Good – no significant defects noted

Useful life expectancy:

Very Long - with an estimated remaining life expectancy of at least 40 Years

Comments: The proposal is to reduce the longer lateral limbs on the North side of both canopies back from the adjacent properties. The proposal also indicates the crown thinning of both trees by approximately 15%. The reason for the proposal is to mitigate the encroachment onto the properties boundaries and to help provide more light to access the gardens. The works are in line with good arboricultural practice therefore it is recommended that the application is permitted.

## **9.0 CONCLUSION**

9.01 The proposed works are considered reasonable 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) 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: 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.