

Delegated Report

Officer

Tom Little

Application Number(s)

2021//T

Application Address**Proposal(s)****Recommendation(s):**

No Objection to Works to Tree(s) in CA

Application Type:

Notification of Intended Works to Tree(s) in a Conservation Area

Consultations**Adjoining Occupiers:**

No. notified

8

No. of responses

0

No. of objections

1

Summary of consultation responses:

1. Has this tree been assessed by an arborist? Could actual photos be supplied, please, instead of a drawing? 'Subsistence worries' sounds like a subjective opinion and not one which is substantiated by expert assessment. The reasons stated do not seem valid enough to fell a tree without such input from experts. Please could expert opinions be sought and provided to investigate this further.

CAAC/Local groups* comments:

*Please Specify

None

Assessment

As the maple is not covered by a TPO it was subject to a section 211 notification of intended works to trees in a conservation area, unlike a TPO application there is no requirement to give reasons for the proposed works. A section 211 notification gives the LPA six weeks to consider objecting to the proposed works. If the LPA wishes to object then it must serve a tree preservation order on the relevant trees. There are several criteria that must be considered when assessing the suitability of a tree for a TPO which can be broken down as follows (taken from the current planning practice guidance that LPAs use when assessing a tree):

Visibility

The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.

In this case, the maple tree in question is visible from the public realm as it is in the front garden however it is screened by a larger maple in front and in real terms might be considered to be of relatively low visibility from a public place, it is not considered to provide significant visual amenity to the public.

Individual, collective and wider impact

Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- *size and form;*
The maple is not a particularly large tree, it is not in any way a noteworthy example of its species.
- *future potential as an amenity;*
The tree has the potential to grow to a much larger size and should the tree screening it die then it would become highly visible. Realistically however it would be subject to high pruning pressure due to its proximity to the house and is currently suppressed by the larger tree, it is therefore unlikely to outgrow its current size in the near future without developing undesirable characteristics such as lean toward the house or poor form due to repeated pruning.
- *rarity, cultural or historic value;*
The maple is not of a rare species or of any known cultural or historic value.
- *contribution to, and relationship with, the landscape;*
It not considered that the tree makes a significant contribution to the local landscape, it is stuck in between a much larger tree and the house.
- *contribution to the character or appearance of a conservation area.*
The tree is not considered to make a significant contribution to the character and appearance of the conservation area.

Other factors

Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.

The tree offers some benefits in terms of reducing pollution, absorbing CO2 and wildlife habitat however the current legislation does not put sufficient weight on to these factors to justify serving a TPO.

On balance, due to the relatively low visibility of the tree, its position and lack of real future potential it would not be expedient to bring this tree under the protection of a TPO.