



Planning Report for 2017/1307TPO



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Report to Planning Committee

Application Number: 2017/13074TPO

Location: 11 Colwick Park Close Colwick Nottinghamshire NG4 2DZ

Proposal: Works to 3 No. trees protected by a Tree Preservation Order (TPO).

Applicant: Mrs Angela Baggaley

Agent:

Case Officer: Lewis Widdowson

This application is referred to Planning Committee as the applicant is related to an employee of Gedling Borough Council.

1 – Site Description

- 1.1 This application relates to 11 Colwick Park Close, a residential property and its associated curtilage located within the urban area of Colwick.
- 1.2 There are three protected trees, a Lime, Pine and Sycamore (hereby referred to as T4, T5 and T6 respectively), situated within the curtilage of the above property.
- 1.3 The trees are under the protection of a group Preservation Order no. 000060 titled “Colwick Park Close, Colwick”.

2 – Relevant Planning History

- 2.1 On the 11th April 1978 permission was granted to “Remove branches & dead wood from Elm, Sycamore & Lime”. App Ref: 78/0307.
- 2.2 On the 24th October 1980 conditional permission was granted to “Remove 2 large branches from Lime Tree & other overhanging trees”. App Ref: 80/1692.
- 2.3 On the 17th May 1988 conditional permission was granted to “Lop tree”. App Ref: 88/0664.
- 2.4 On the 13th September 1994 conditional permission was granted for “Works to trees T1-T4”. App Ref: 94/1400.
- 2.5 On the 22nd August 2003 conditional permission was granted for “Sycamore A - Crown reduction/reshape by removal of outgrowing limbs. Pine B - Removal of lowest limb and overhanging branches”. App Ref: 2003/1679.

- 2.6 On the 29th September 2011 conditional permission was granted for “T4 (Lime) and T6 (Sycamore) - removal of minor growth from the trunk and lower limbs on annual basis”. App Ref: 2011/0937TPO.
- 2.7 On the 29th September 2011 conditional permission was granted for works to “T4 (Lime) - remove branch overhanging garage of no.10 and cut back second branch up to create 2m clearance of roof, remove branch overhanging no.11 to create 2m clearance over roof. T5 (Pine) remove lowest branch overhanging no.12. T6 (Sycamore) removal of 3 lowest branches, target prune to create 3m gap between syc & adj pine, remove crossing branches”. App Ref: 2011/0942TPO.

3 – Proposed Development

- 3.1 This application seeks permission to carry out the following works to trees T4, T5 and T6:
- 3.2 T4 Lime Tree – Crown clean and lift to 6 metres. Remove branch where foliage below gutter level. Remove foliage overhanging 10 Colwick Park Close to avoid interference with telephone line.
- 3.3 T5 Pine Tree – Removal of large lower branch and small branch above to reduce excessive shading.
- 3.4 T6 Sycamore Tree – Crown clean and lift to 6 metres. Remove two lower branches overlapping Pine Tree. Remove secondary branches overhanging public footpath at rear of property.

4 – Consultations

- 4.1 Colwick Parish Council – no objections to the proposal.
- 4.2 Nottinghamshire County Council (Forestry Officer) – satisfied that the proposed works are acceptable in terms of maintaining and managing the mature trees without affecting the visual amenity the trees offer.
- 4.3 Neighbouring residents were notified and a site notice was displayed near to the application site – no representations were received.

5 – Planning Considerations

- 5.1 The main planning consideration for this application is to consider whether the proposed works to the trees are appropriate in terms of maintaining their visual amenity and health.
- 5.2 In line with the Forestry Officers comments I consider that proposed works to trees T4, T5 and T6 are appropriate to maintain the trees and, in my opinion, I am satisfied that the proposed works would not have an adverse impact on the visual amenity of the surrounding area.
- 5.3 As such I therefore recommended that conditional consent be granted for the described works in para. 3.2, 3.3 and 3.4 of this report.

6 – Recommendation

Grant consent subject to the following conditions:

Conditions

1. The works must be carried out in within 2 years beginning of the date of this permission.
2. The works hereby permitted shall be carried out in accordance with the application form and details submitted to the Local Planning Authority on 14th November 2017.
3. All works are carried out in accordance with BS 3998 2010 and by good arboricultural practice.

Reasons

1. In order to comply with Section 17 2(d) of Part 4 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. For the avoidance of doubt and to define the terms of this permission.
3. In the interests of safety and good tree husbandry.

Reasons for Decision

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

When considering carrying out any work to trees it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat, Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat, Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.