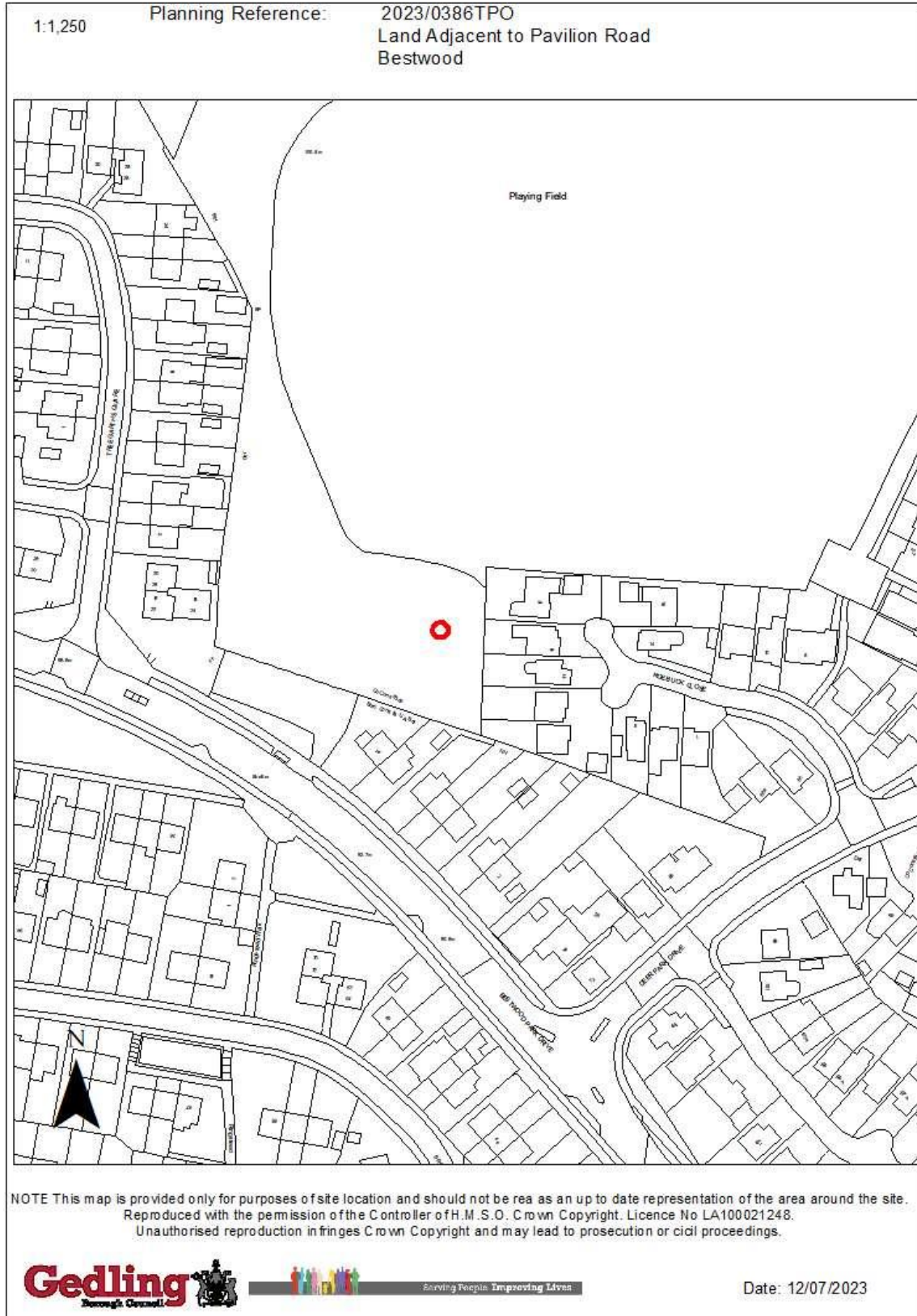


Planning Report for 2023/0386TPO



Report to Planning Committee

Application Number: 2023/0386TPO

Location: Land Adj Pavilion Road Bestwood

Proposal: T! – Oak – Reduce lateral branches by 50% that are growing towards property fence.

Applicant: Gedling Borough Council

Agent:

Case Officer: Joe Davies

This application is referred to Planning Committee as Gedling Borough Council is the applicant and land owner.

1. Site Description

- 1.1 The site comprises an area of open space between Roebuck Close, Bestwood Park Drive, Bestwood Lodge Tennis Club and Teggarth Square.
- 1.2 There is a group of trees to the south-east of the area of open space, including the Oak tree that is the subject of this application.
- 1.3 The tree is under the protection of a group Preservation Order no. 0031 dating back to 21st October 1977 and titled “G31 TPO Bestwood Lodge”.

2. Relevant Planning History

- 2.1 None relevant

3. Proposed Development

- 3.1 This application seeks permission to reduce the lateral branches of one Oak tree by 50%, which are growing towards a property fence.

4. Consultations

- 4.1 Gedling Borough Council Forestry Officer – Stated that he had attended the site and was satisfied that the works described were satisfactory in terms of keeping and managing the woodland without affecting the visual amenity the trees offer.

Recommended that consent was granted subject to a condition requiring all works to be carried out in accordance with BS3998:2010.

4.2 *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 tree is appropriate in terms of maintaining its visual amenity and health.

5.2 In line with the Forestry Officers comments the proposed works to the Oak tree are appropriate to maintain the tree and would not have an adverse impact on the visual amenity of the surrounding area or longevity of the tree in question.

5.3 As such it is recommended that conditional consent be granted for the described works in para. 3.1 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 5th May 2023.
- 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.

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.