

DELEGATED FILE NOTE

CASE OFFICER: ...Francis Mabbett.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00139/TPO	Walnut - Cut branches on north side of crown away from the building to give a clearance of 2m and lift east side of crown overhanging drive way only, to 3m above ground level.	Sandon Saddlery Co Rushden Road Sandon Hertfordshire SG9 0QN

Submitted Plan Nos

1.0 Policies

2.0 **Site History**

25/03007/TPO, 25/03010/TPO

3.0 **Representations**

There were 3 objections to the application for reasons including:

the works would be detrimental to health and shape of tree,

the location plan was not accurate,

the pruning will not be carried out correctly,

and Sandon Parish Council advise they cannot make an informed decision as the application has insufficient information.

These concerns are addressed in the main report below.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

T1 Walnut subject of this application is located immediately to the rear (South) of the building fronting Rushden Road and located between Wrest Cottage and Hill Side. The site is not within a Conservation Area, but the tree is T1 of TPO/00223(2025). The tree is visible from the public realm and is visible to adjacent properties.

4.2 **Proposal & Reason**

T1 - Walnut Cut branches on north side of crown away from the building to give a clearance of 2m and lift east side of crown overhanging drive way only, to 3m above ground level. As recommended by Council tree and landscape officer.

These works are to take place to prevent damage to the tree when driving in the driveway. Also to prevent damage to the building by lack of distance between the branches to the building. (provided in email 27/02/2026)

4.3 **Key Issues**

The key issue for consideration is whether the reason provided justifies proposed works and the appropriateness of these given that the tree is protected by a Tree Preservation Order.

4.3.1 The reason for the works is *“to prevent damage to the tree when driving in the driveway. Also to prevent damage to the building”*.

4.3.2 The proposed works are in accord with the recommendations to amend the previous application 25/03010/TPO and are suitable to address the issues of access to the driveway and to prevent potential direct damage from branches coming into contact with the building roof. The works over the driveway may leave the tree slightly unbalanced, but its natural form appears to already be slightly asymmetric and the works are unlikely to significantly change the current form of the tree in this respect. It would also be unreasonable not to allow for suitable access to an existing driveway.

4.3.3 The proposed pruning on the North side the crown is minimal as it is to clear the building by 2m and not a reduction by 2m. It should be noted that if the tree were to be left unpruned until such time branches are actually causing damage (a direct nuisance) to the building then the tree could be potentially pruned without an application in order to urgently abate a nuisance that is actionable in law – where it is causing, or there is an immediate risk of it causing, actual damage. By this time the branches would have increased in size and any pruning would potentially leave larger wounds that are less capable of occluding, leaving the tree more susceptible to infection. Pruning now, correctly in accord with BS3998 is unlikely to be detrimental to the long-term health of the tree and would leave wounds sufficiently small enough for the tree to occlude.

4.3.4 Sufficient information was submitted with the application and subsequent email with regards the proposed works and the identification and location of the tree. The plan provided with the application is clear enough to accurately identify the location of the tree and nothing more is required of it.

4.4 **Conclusion**

4.4.1 The amended specification will have a minimal negative impact on the amenity of the tree and is necessary to allow access to the drive and mitigate potential damage to a nearby structure. Conditions can be imposed to ensure any approved works will not be detrimental to the long-term health of the tree and are carried out by a professional in accordance with good arboricultural practice and therefore refusal would be hard to justify.

4.5 **Alternative Options**

4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

4.6.1 None applicable

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** subject to the following conditions:-

1. The works shall be carried out to conform to British Standard 3998 - Recommendations for Tree Work and in a manner so as to ensure that the natural and aesthetic appearance of the trees are maintained to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that the works are undertaken to an acceptable standard which will not harm the health of the tree(s).

2. The works shall be undertaken only by a competent and suitably qualified arboricultural contractor or tree surgeon as capable of carrying them out to an acceptable standard.

Reason: In order that the works are undertaken by a suitably qualified contractor.

Signed  Sarah Kasparian	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 6 March 2026	