DELEGATED FILE NOTE

CASE OFFICER: …Jo Cousins……

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00927/TPO	Pine - Reduce by 30%	15 Downlands Royston Hertfordshire SG8 5BY

Submitted Plan Nos

1.0 Policies

NONE None Relevant

2.0 **Site History**

2.1 See 17/02182/1TPO where consent to fell this pine tree was refused for the following reason:-
The Pine Tree is subject of Tree Preservation Order No TPO 19 / A1 and makes a contribution to the visual amenities of the locality. No detailed justification has been submitted in support of the application for the removal of this tree. Thus, in the absence of any compelling evidence being produced for the removal of the tree in terms of their health, condition or relationship to the surrounding buildings there is insufficient justification for consent to be granted.

3**.0 Representations**

3.1 No consultation

4**.0 Planning Considerations**

4.1 **Site & Surroundings**

4.1.1 The Pine tree is in the front garden adjacent to the garage.

4.2 **Proposal**

4.2.1 Remedial work to reduce the tree by 30%. The applicants representative has stated the following on the application forms:-

Pine tree in front garden adjacent to the pavement. Previous application 17/02182/1TPO to fell refused despite visible heave to pavement (which HCC highways have repaired ref 201013169413), cracks to concrete drive caused by roots and proximity to the garage.
The tree's height and bulk is excessive for a small garden. It also overhangs the road - high vehicles continue to break off overhanging boughs.
Mr Turi requests permission for works to reduce height and bulk by 30% including the parts that obstruct high vehicles. This will also restrict further root growth.

4.3 **Key Issues**

4.3.1 The key issues in the determination of this application are whether the works requested are acceptable. There is a presumption in favour of retaining trees that are the subject of a Tree Preservation Order. The tree is covered by TPO 19 / A1 which is an area TPO. The tree has some public amenity value in the street scene.

The application has not been accompanied by a tree surgeon's report or a surveyor's report to support the proposal. However the applicants no longer wish to remove the tree and request a reduction to alleviate the potential damage the tree is allegedly causing. It is noted that the tree is close to the garage and on the previous application photographic evidence of the cracks in the driveway were produced. In these circumstances I consider that remedial work is acceptable and would be a compromise to the loss of the tree.

4.4 **Conclusion**

Given the circumstances presented, I consider that Tree Preservation Order Consent for the proposed works should be granted.

5.0 **Recommendation**

5.1 That consent be **GRANTED** subject to the following conditions:

1. 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.

2. 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 tree is 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.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 9 May 2018	