

DELEGATED FILE NOTE

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

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

26/01766/TPO

T1: Oak - Remove the large limb.

The Acorns

Blackhorse Lane

Hitchin

Hertfordshire

SG4 9EG

Submitted Plan Nos

1.0 Policies

2.0 **Site History**

None relevant.

3.0 **Representations**

None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

T1 Oak (applicants plan) is located on the north boundary of the rear garden of the property. The site is not within a Conservation Area, but the tree is protected by T6 of TPO/118.

4.2 **Proposal & Reason**

T1: Oak - Remove the large limb overhanging 10 Mowbray Gardens

The reason provided in email of 25/08/2026 *"how close [the branch] it is getting to the property and the weight of the branch itself over hanging the garden that regularly has children playing in."*

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 T1 Oak is mature tree with not a particularly large crown, but includes some over extended long limbs growing to the north over 10 Mowbray Gardens. One limb (identified by applicant and annotated photo in email 25/08/2026) in particular is growing close to the property and although there is no obvious visible reason for this limb to fail; overlong branches can be subjected to increased 'end-loading' due to an uneven distribution of secondary branches. The branch also grows low and must have an adverse effect on the enjoyment of the garden. Oak has a durable heartwood that has high resistance to decay and the removal of this one limb is unlikely to be detrimental to the long-term health of the tree or significantly affect its amenity.

4.4 **Conclusion**

- 4.4.1 The reason for the proposed appears to justify the works, as over long branches can be subject to failure and when growing close to property can become a direct nuisance or be a point of access to property for unwanted pests. The works should not be detrimental to the long-term retention or amenity of the tree and it would therefore be unreasonable to refuse the application.

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  Intan Keen	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 2 September 2026	