
2022/0890

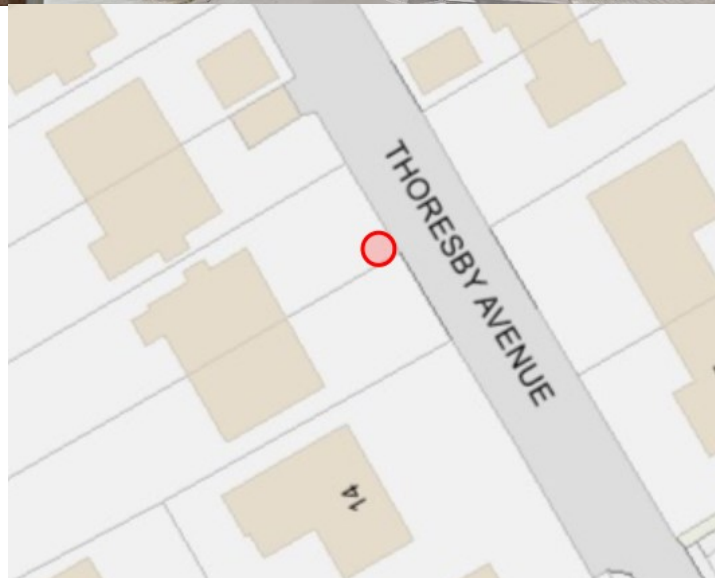
Frank Dixon

Remove epicormic growth from Lime tree shown in photos within TPO 18/1999

18 Thoresby Avenue, Monk Bretton, Barnsley, S71 2LH

Description

The application is in reference to a large mature Lime tree located in the front garden of 18 Thoresby Avenue, Monk Bretton. Works to the tree were approved for a light crown clean and thin in 2020. The tree is one of several individual listings on Thoresby Avenue which is characterised by large trees on the roadside.



Proposed Development

The applicant seeks to remove epicormic growth from the tree.

Policy Context

The statute law on TPO's is in the Town and Country Planning Act 1990 and in the Town and Country Planning (Trees) Regulations 2012.

Primarily the aim of making a TPO is to protect the amenity value of the tree or trees. Local Planning Authorities may make a TPO if it appears to them to be: 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.

The Act does not define 'amenity', nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO. Normally trees should be visible from a public place e.g. road or footpath for a TPO to be made but the courts have decided that trees should be protected for "*pleasure, protection and shade they provide*". Taking this into account trees should be considered for other aspects of amenity that they provide other than visual amenity.

Government advice and guidance available on the administration of TPOs, is:- 'Tree Preservation Orders: A Guide to the law and Good Practice' 2000.

Consultations

Tree Officer – The tree is a large mature Lime with high amenity value. The tree was approved for a light crown clean and thin in 2020 and this current application is to remove epicormic growth from the stem of the tree. The photos provided show the significant level of epicormic growth on the tree, with this being a perfectly natural occurrence on many species of Lime. Given the trees location at the roadside then the removal of this epicormic growth is considered sensible maintenance to ensure the tree does not affect access and visibility unnecessarily.

The works applied for are therefore appropriate and in line with good practice and as such there is no issue with this application.

Representations

Neighbour letters were sent to surrounding properties; one comment was received supporting the application and stating that the resident would have no concerns with the entire removal of the tree.

Assessment

Principle of development

In line with good practice, primarily the aim of making a TPO is to protect the amenity value of the tree or trees. In considering TPO applications the LPA is advised:

(1) to assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area, and

(2) in the light of their assessment at (1) above, to consider whether or not the proposal is justified, having regard to the reasons put forward in support of it.

As mentioned by the Tree Officer in his response, the photos provided show the significant level of epicormic growth on the tree and its removal is sensible maintenance to ensure the tree does not affect access and visibility. No objection has been raised from the Tree Officer subject to appropriate conditions and informatives.

Recommendation

Approve with conditions

Conditions:

- 1 The proposed tree works should be completed within 2 years of the date of this

consent.

Reason: To ensure the work accords with good arboricultural practice.

- 2 Not less than five working days' notice of the date of the proposed work shall be given in writing to the Local Planning Authority and the Tree Surgery shall be carried out to the standards set out in BS3998.

Reason: To ensure the work accords with good arboricultural practice.

Informative(s):

- 1 Before proceeding with the notified works, you should ensure that you have the permission of the owner, and comply with all other relevant legislation, for example it is an offence to disturb nesting birds, and bat roosts.