



<b><u>COMMITTEE DATE</u></b>	<b>21/07/2021</b>	<b><u>WARD</u></b>	<b>Kirkby Cross and Portland</b>
<b><u>APP REF</u></b>	<b>V/2021/0069</b>		
<b><u>APPLICANT</u></b>	<b>P Lewis</b>		
<b><u>PROPOSAL</u></b>	<b>Crown Lift and Remove Dead Wood of Five Trees</b>		
<b><u>LOCATION</u></b>	<b>1, Kirkby House Drive, Kirkby in Ashfield, Notts, NG17 8JP</b>		
<b><u>WEB-PAGE</u></b>	<b><a href="https://www.google.co.uk/maps/@53.0999632,-1.2690112,18z">https://www.google.co.uk/maps/@53.0999632,-1.2690112,18z</a></b>		
<b><u>BACKGROUND PAPERS</u></b>	<b>A, K</b>		

**App Registered 02/03/2021                      Expiry Date**

***Consideration has been given to the Equalities Act 2010 in processing this application.***

***This application has been referred to Planning Committee by Cllr Jason Zadrozny***

### **The Application**

This is an application for the crown lift and removal of dead wood of five trees located at 1 Kirkby House Drive, Kirkby in Ashfield.

### **Consultations**

Site Notices have been posted together with individual notification of surrounding residents.

The following responses have been received:

### **ADC Tree Officer**

#### ***First comments***

- A site visit and full review of information submitted has been reviewed.
- The information supplied is ambiguous and does not accord with good arboricultural practice. It is noted that a "report" was to be attached but none is visible.
- Satisfied that the removal of significant canopy deadwood is acceptable, but the proposed reduction and weight removal of limbs needs to be specified in a meaningful way.

- Recommends granting consent for the removal of canopy deadwood, but not for any other works until a more detailed scheme of works is submitted.

*Second comments*

- The additional information submitted by email satisfactorily describes the works to be undertaken and I am now satisfied that the work if carried out in accordance with the additional specification should be granted consent.
- This consent should be conditional to being carried out directly in accordance with the supplied additional information.

No other comments have been received.

**Policy**

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework 2019

15 – Conserving and enhancing the natural environment

Ashfield Local Plan Review 2002

ST1 – Development

ST2 – Main Urban Area

EV8 – Trees and Woodland

EV10 – Conservation Area

**Relevant Planning History**

V/2017/0652

Works to trees in a conservation area (Conditional consent)

V/2014/0598

Works to trees covered by a TPO and within a conservation area (Conditional consent)

**Comment:**

The application site is located within the Kirkby in Ashfield main urban area and within the Kirkby Cross Conservation Area. The application site includes a detached dwelling and within the site are a number of trees, some of which are protected by Tree Preservation Orders, including the five (two beech, two sycamore, and one Norway spruce) that make up this application.

Both policy EV8 of the ALPR 2002 and Part 15 of the NPPF 2019 place significant weight on protecting trees and ensuring the long-term health of valued natural assets, particularly those within urban areas and conservation areas.

The applicant seeks consent for the removal of canopy deadwood from the five trees as well as a crown lift. The applicant has submitted a plan showing the location of the trees, annotated photos that include arrows to where the crown lift would take place and a statement provided by a tree surgeon detailing the proposed works.

The Council's Tree Officer has assessed the proposed works in accordance with best arboricultural practices and he concludes there is significant canopy deadwood which should be removed, and having reviewed the additional statement provided by the applicant's tree surgeon he is also satisfied with the scope of the proposed crown lift, which will include a crown lift to approximately 4m, with branches between 60mm and 100mm being removed. The applicant has confirmed that all works will be carried out in accordance with BS3998 and in a manner to preserve the long-term health and appearance of the trees.

**Conclusion:**

It is recommended that conditional consent is granted in accordance with the latest advice provided by the Council's Tree Officer and that consent be granted for the removal of any canopy deadwood in the five trees and a crown lift in accordance with the statement and images provided. The permission would therefore grant consent for a crown lift to approximately 4m, the removal of any dead, weak and/or crossing branches.

**Recommendation: Conditional consent**

**CONDITIONS**

1. This permission shall authorise the carrying out of the approved tree works within 2 years of the date of this permission.
2. The agreed works shall be carried out in accordance with the appropriate recommendation of BS3998; 2010 (Tree Work) and in general shall in no way prejudice the health, balance and natural appearance of the tree(s).
3. This permission shall authorise the removal of canopy deadwood and a crown lift in accordance with the images and statement provided and on the five trees specified only. Should additional works be desired a further application should be submitted that includes a detailed specification of works.

**REASONS**

1. To define the time scale of the permission and to allow further assessment in the event of the works not being carried out.
2. To safeguard the visual amenity of the area.
3. To safeguard the visual amenity of the area.

**INFORMATIVE**

1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).