

ITEM

Case Officer: R. Kennerley

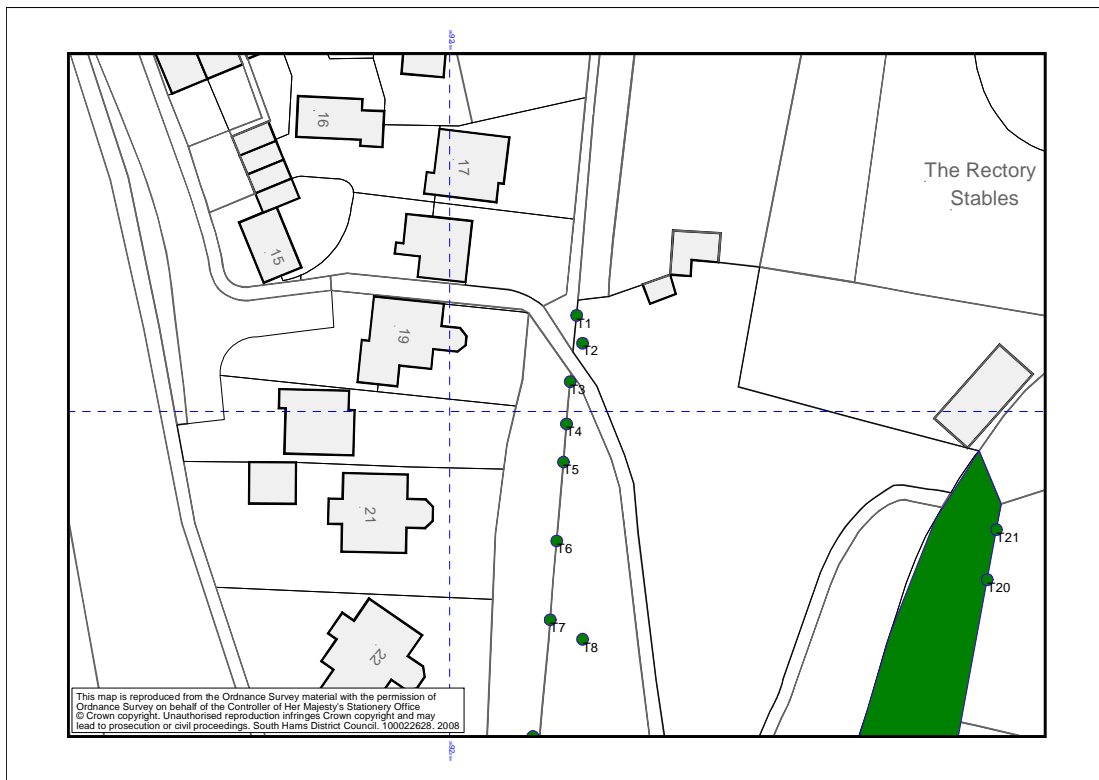
Site: Land to rear of 19 Glebe Land, Aveton Gifford

Application No: TPO 490/Register 2714

Applicant: South Hams District Council

Works: Crown surgery to Beech tree (T2 on the plan below)

Site Plan:



Policies

Guidance within “Tree Preservation Orders: A Guide to the Law and Good Practice”.

Protected Trees and Their Management. SHDC.

Consultations

Parish Council – awaited.

Tree Warden – awaited.

Case Officer Report

The Application

This tree sits amongst a group of mature ridgeline trees standing above public land at Aveton Gifford, but adjacent to the relatively recent development at Glebe Land. The trees sit in a group to the east of the residential gardens and one of the neighbours at 9 Glebe Land has raised concerns with the Council over the impact of a low branch from the Beech tree and the shading and interference to the residential garden.

Procedure

Where the Council is an owner of trees subject to a Tree Preservation Order, it is required to follow procedures set out in statute. This includes advertising the application on site, undertaking a consultation in a prescribed manner and ensuring that any decision is made by an Officer or group within the Council, not directly related to the management of the tree itself. Given that the tree work of the Council is now consolidated in the Landscape & Recreation team, (which includes both the management of the Council's own trees and the Council's statutory work in relation to protected trees) it is necessary that an external group within the Council makes a decision on an application.

It is considered expedient in this case that the decision is made by the Development Control committee.

Officer Assessment

The tree subject to the application is one of a group of sky line mature Beech. These trees are of significant public amenity and were subject to Tree Preservation Order whilst in private ownership prior to transfer to the District Council some years ago.

The works represent reasonable arboricultural management which balance the amenities of the neighbouring landowner, and the enjoyment of their garden, whilst maintaining the overall shape and amenity value of the tree when viewed in the wider landscapes and from public locations.

Human Rights Act

Due regard has been given to the provisions of the Human Rights Act. It is not considered that there are any issues which impact on rights under Article 1 of the first protocol or Article 8.

Recommendation

Conditional approval.

Conditions

Works to be undertaken to BS3998: Tree Works.