

Schedule of Planning Applications

Committee Date: 07/12/2022

Application Number: **06/22/0868/TRE** - [Click here to see application webpage](#)

Site Location: 66 Beccles Road, Bradwell, Great Yarmouth, NR31 8HF

Site Location Plan: See Appendix 1

Proposal: Proposed works to trees: T1 Sycamore - Crown lift lower branches by a maximum of 3m; Reduce and shape southern canopy by a maximum of 1m

Applicant: Great Yarmouth Borough Services (GYBS)

Case Officer: Mr T Hadlow

Parish & Ward: Bradwell Parish, Bradwell North Ward

Date Valid: 17/10/2022

Expiry / EOT date: 12/12/2022

Committee referral: Constitution (Connected application)

Procedural note: This application was reported to the Monitoring Officer as an application submitted by the Borough Council, as applicant, for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 29/11/2022, and the Monitoring Officer has checked the file and is satisfied that it has been processed normally and that no other members of staff or Councillors have taken part in the Council's processing of the application other than staff employed within the LPA as part of the determination of this application.

RECOMMENDATION: APPROVE tree works as applied for, subject to conditions

REPORT

1. The Site

- 1.1 The application is for works to one protected Sycamore tree within the garden curtilage of 66 Beccles Road, Bradwell. The tree is protected by Tree Preservation Order (TPO) No.6 of 2007 which was confirmed on 17th March 2008.
- 1.2 TPO No.6 of 2007 protected 3 trees within the garden curtilage of 66 Beccles Road; T1 – An Oak tree located on the front of the plot; T2 – A Sycamore tree located to the west of T1 and further within the plot; and T3 – a pine tree located on the boundary with 68 Beccles Road. This application relates to works to T2. For the avoidance of doubt the tree is referenced as T2 by the TPO but is hereafter referred to as T1 in line with the application description.
- 1.3 Consent of the LPA is required for nearly all works to protected trees, exceptions however include work to dead trees/branches and trees which pose an immediate threat of significant harm.

2. The Proposal

- 2.1 The proposed tree works involve the crown lifting of lower branches by a maximum of 3m and to reduce and shape the southern canopy by a maximum of 1m.

3. Relevant Planning History

- 3.2 There is no relevant planning history relating to the site.

4. Consultations

Arboricultural Officer	Response: No Objection
I've no objection to proposed tree works. The canopy reduction of lateral limbs is of a suitable measure (1m) to alleviate the loading upon the lateral branches and lessen the likelihood of structural failure but allow for healthy/structurally sound future growth. The crown lift up to 3m is also a good level to allow for future growth of the tree. Both portions of work (c/lift and canopy reduction) will elongate the retention span of the tree and can be classed as sound tree management and allow better use of the properties garden.	
Officer comment / response:	N/A
Any relevant Condition / Informative note?	N/A

Norfolk County Council (Highways)	Response: No Objection
Given the proposals do not have any highway implications, the Highway Authority have no comment to make in respect of this application.	
Officer comment / response:	N/A
Any relevant Condition / Informative note?	N/A

5. Publicity & Representations received

Consultations undertaken: A site notice was posted on 28/10/2022, expiring on the 18-11-22. No responses from the public have been received.

5.1. Bradwell Parish Council

Representation	Officer Comment	Relevant Condition/Informative
No Objection	N/A	N/A

5.2. Public Representations

At the time of writing no public comments have been received.

6. Relevant Planning Policies

The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS9: Encouraging well-designed, distinctive places.
- Policy CS11: Enhancing the natural environment.

The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy E4: Trees and landscape.

7. Other Material Planning Considerations

National Planning Policy Framework (July 2021)

- Section 4: Decision Making
- Section 12: Achieving well designed places (Inc. Paragraph 130 and 134)

8. Planning Analysis

- 8.1. Legislation dictates how all planning applications must be determined. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. Section 70(2) of the Town and Country Planning Act 1990 (as amended) states: *In dealing with an application for planning permission the authority shall have regard to–*
- (a) the provisions of the development plan, so far as material to the application,*
 - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,*
 - (b) any local finance considerations, so far as material to the application, and*
 - (c) any other material considerations.*

This is reiterated at paragraphs 2 and 47 of the National Planning Policy Framework.

9. Assessment

Proposal summary: Proposed works to trees: T1 Sycamore - Crown lift lower branches by a maximum of 3m; Reduce and shape southern canopy by a maximum of 1m

9.1 When assessing applications for tree works to protected trees the following list, whilst not exhaustive, indicates the material considerations:

- Amenity value of the tree and the impact of the works
- Landscape Character Assessment
- Reasons for the work proposed
- Likelihood of loss or damage from refusing the works
- Protected species (normally discharged through informative on consent letter)
- Planning policies

- 9.2 The tree is of a moderate stature with important public visibility from the A143 Beccles Road. The tree is also readily visible from within the garden curtilage of 66 Beccles Road and from neighbouring dwellings to the north-east. The tree therefore makes a valued contribution to the visual amenities of the area.
- 9.4 The Council's Arboricultural Officer considers that the reduction of lateral limbs by 1m would constitute good arboricultural practice in order to lessen the likelihood of future structural failure and in the interests of structurally sound future growth.
- 9.5 The proposed works will elongate the retention span of the tree and ensure that it will continue to contribute to the visual amenities and character of the area, in accordance with Core Strategy Policies CS9 and CS11 and Local Plan Part 2 Policy E4.

10. Conclusion and Recommendation

- 15.1 Having considered the proposal, the application is considered to comply with Core Strategy policies CS9 and CS11, and Local Plan Part 2 policy Helen, i E4 and there are no material considerations to suggest the development should not be approved where it is consistent with these policies.

RECOMMENDATION:

It is recommended that application 06/22/0868/TRE should be APPROVED, subject to the following conditions and informative notes.

Proposed Conditions

1. The work must be carried out within two years of the date of this consent notice and may only be carried out once.

The reason for the condition is: -

The time limit condition is imposed in order to comply with the requirements of the Town and Country Planning Act 1990 as amended by the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. The work is to be carried out in accordance with British Standard 3998:2010 (Recommendations for Tree Work).

The reason for the condition is: - To ensure an acceptable standard of work, thereby minimising possible damage and decay/disease in the future.

Informative Notes:

1. Standard of work: Tree work should be carried out by trained, competent and appropriately insured arborists, to a good standard to comply with BS 3998 Recommendations for Tree Work
2. Photos of work: Photos of the tree after the consented works have taken place are required. Please forward these via email or post.

3. Protected Species: The applicant should note that under the terms of the Wildlife and Countryside Act 1981, it is an offence to disturb nesting birds, bats their roosts and other protected species. You should note that work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that nesting birds, bats and other species will be disturbed.
4. Property Rights: The applicant should note that this consent does not affect any private property rights and therefore does not authorise the carrying out of any work on land or entering land outside his/her control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before the work starts.

Appendices:

1. Site Location Plan

