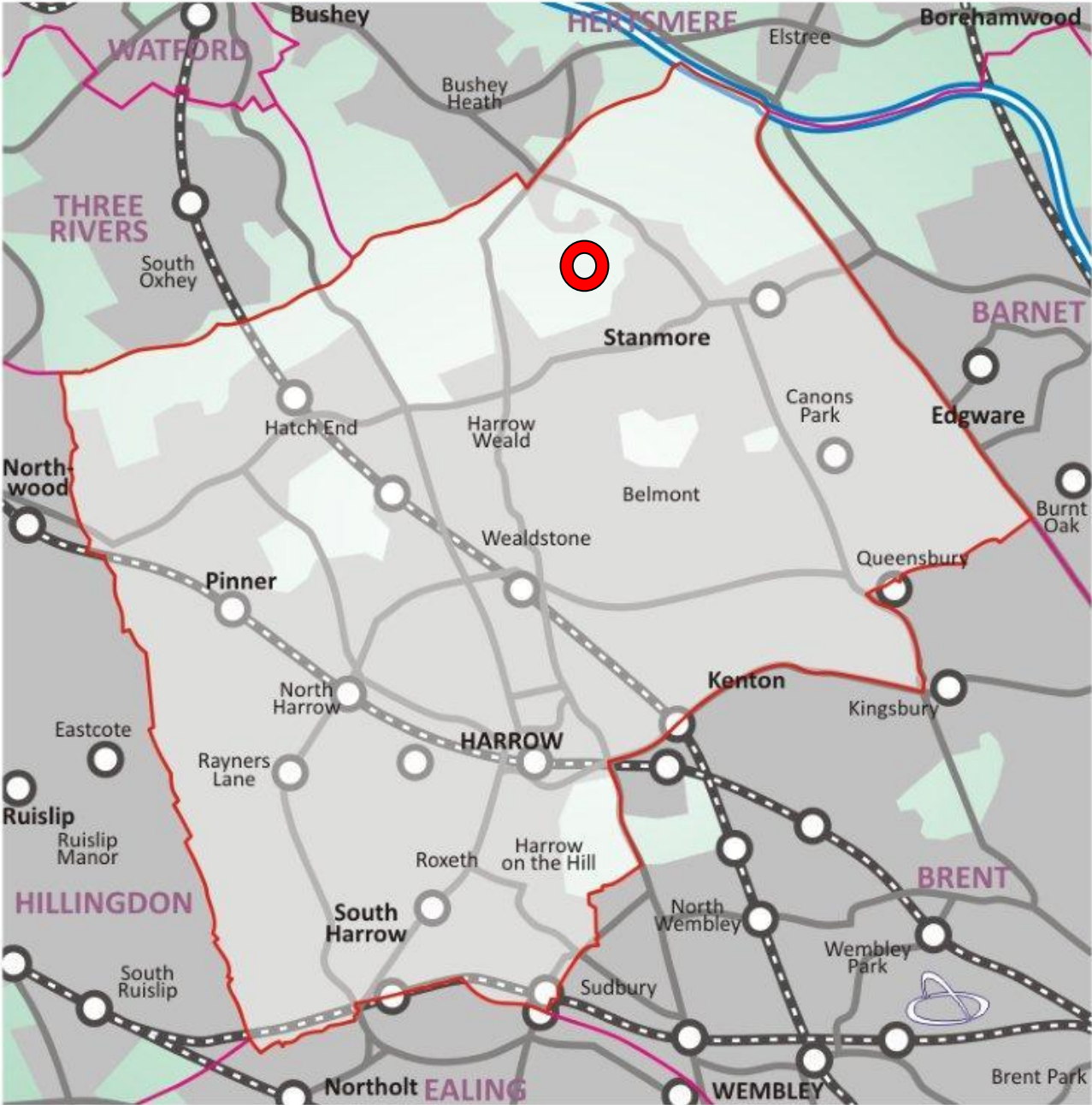


**Agenda Item:**

 = application site



<b>6A Holland Close, Stanmore, HA7 3AN</b>	<b>P/2331/22</b>
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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

7<sup>th</sup> September 2022

**APPLICATION NUMBER:** P/2331/22  
**VALID DATE:** 21/06/2022  
**LOCATION:** 6A HOLLAND CLOSE, STANMORE, HA7 3AN  
**WARD:** STANMORE  
**POSTCODE:** HA7 3AN  
**APPLICANT:** PHILIP BENJAMIN  
**AGENT:** ARTEMIS TREE SERVICES LTD  
**CASE OFFICER:** REBECCA FARRAR  
**EXPIRY DATE:** 16/08/2022

### PROPOSAL

T1 OAK (rear garden): Undertake sympathetic crown reduction by removing 2 – 2.5m from the height and 1.5m from south side. Prune north side of crown by removing approximately 1m, pruning to suitable growth points.

### RECOMMENDATIONS

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant permission subject to the Conditions listed in Appendix 1 of this report.

### REASON FOR THE RECOMMENDATION

The proposed works are part of routine maintenance and are considered to be for sound arboricultural reasons. It is considered that there is no reason why the application should be refused.

### INFORMATION

This application is being reported to the Committee as it relates to land in which a member has an interest and under Proviso C(iii) of the Scheme of Delegations, delegation from the Planning Committee is not extended to the Chief Planning Officer in such instances, meaning the Committee itself must determine the application.

### HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

## **EQUALITIES**

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010. For the purposes of this application there are no adverse equalities issues.

## **S17 CRIME & DISORDER ACT**

Policy D11 of The London Plan 2021 and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

### **1.0 SITE DESCRIPTION**

- 1.1 The application site is a residential detached property within Holland Close, a cul-de-sac to the west of Holland Walk and to the north of the Stanmore section of the Uxbridge Road.
- 1.2 The subject tree, an English Oak (*Quercus robur*) is located on the rear boundary of the rear garden. The Oak is T1 of TPO No.336. The Oak has a crown spread of approximately 8m and height of approximately 12m.
- 1.3 The Oak is in normal condition and appears in normal health. It has good form and makes an attractive focal point. The applicant is the owner of the tree.

### **2.0 PROPOSAL**

- 2.1 This application seeks the Council's permission to carry out crown reduction and reshaping works to the Oak. This will be achieved by reducing the height and spread of the tree via sympathetic pruning (pruning back to suitable side branches/growth points).
- 2.2 The aim of crown reduction works is to reduce the height and spread of a tree overall, whilst retaining its natural shape and form. It is often used to contain a tree in an urban setting, or in a residential garden, where space can be at a premium and there is a need to contain the tree's size through appropriate means.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 The Oak was last subject to pruning in 2012, under reference P/2929/12. The consented works were:

*Lift epicormic growth off main trunk & thin pollard head by 20% by removing longest pollard poles (reduction by thinning)*

## **4.0 CONSULTATION**

- 4.1 There is no statutory requirement to consult on applications relating to trees protected by Tree Preservation Orders (TPOs) under the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

## **5.0 POLICIES / LEGISLATIVE BACKGROUND**

- 5.1 As the subject tree is included in a Tree Preservation Order (TPO No.336), formal consent for any works to it is required from the Council (as Local Planning Authority) in accordance with the provisions of The Town and Country Planning (Tree Preservation) (England) Regulations 2012. Government guidance (National Planning Practice Guidance – NPPG) advises that when determining the application, the Council should:
- 1) assess the amenity value of the tree(s) and the likely impact of the proposal on the amenity of the area, and;
  - 2) in the light of that assessment, consider whether or not the proposal is justified, having regard to the reasons put forward in support of it. It should also consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions.
  - 3) consider other material consideration, including development plan policies where relevant<sup>1</sup>.
- 5.2 In accordance with the Tree Preservation legislation, the Council must either approve or refuse the application, and can attach conditions on any approval.

## **6.0 ASSESSMENT**

- 6.1 From an arboricultural perspective, the works are considered acceptable and there is no reason why the application should not be granted consent. The works are for routine maintenance and removal of regrowth since the previous works in 2012. The crown reduction works are considered acceptable in the context of the tree's urban setting and the need to balance the benefit provided by trees, with the necessity to sometimes manage them, in order to contain them in their location. The works proposed to the Oak are therefore justified. The proposed works will not have an adverse impact upon the amenity of the area.
- 6.2 Provided the works are carried out in accordance with current best practice (British Standard 3998: Recommendations for Tree Works) there should be no adverse impact on the subject Oak; this requirement will be a condition on any approval.
- 6.3 It is also recommended that if approved, the works are conditioned to be undertaken within two years (or the permission will lapse), consistent with standard practice.

<sup>1</sup> See <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#taking-decisions-on-applications-for-consent-under-a-tree-preservation-order>

## 7.0. CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed works and the reasons in support are considered to be acceptable and for sound arboricultural reasons. The works are proposed in order to contain and safely retain the tree in its location. The Planning Committee is therefore requested to approve the application, subject to the conditions listed in Appendix 1.

## APPENDIX 1: CONDITIONS AND INFORMATIVES

### CONDITIONS:

1. All works permitted under this consent must be completed within 2 years of the date of issue of this consent at which time this consent will expire
2. The work shall be carried out in accordance with British Standard 3998 Recommendations for Tree Work (2010). Climbing irons or spikes shall not be used during the execution of any tree pruning works.

### INFORMATIVES:

1. Policies



The following policies are relevant to this decision:

#### **National Planning Policy Framework (2021)**

**London Plan 2021:** Chapter 8 – Green Infrastructure Policy G7: Trees and Woodlands

**Harrow Local Plan 2013:** Policy DM22: Trees and Landscape

Checked

 Mehdi Rezaie Head of Development Management (Interim)  25 <sup>th</sup> August 2022	 Viv Evans Chief Planning Officer  26 <sup>th</sup> August 2022
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**APPENDIX 2: SITE PHOTO**

**T1 Oak**



**APPENDIX 3: PLANS**

Screenshot of GIS map showing subject property and T1 on rear boundary

