



Reference number: 24/00332/TPO

Proposal:

- T1 Red Chestnut Crown lift 5.2m over highway and 2.5m over grass.
- T2 Red Chestnut Crown Lift 5.2m over highway and 2.5m over grass.
- T3 Red Chestnut Remove to ground level.
- T4 Red Chestnut Crown lift 5.2m over highway and 2.5m over grass.
- T5 Apple Remove to ground level.
- T6 Beech Crown lift 3m.
- T9 Red Chestnut Crown lift 2.5m.
- T10 Red Chestnut Crown lift 2.5m.
- T11 Red Chestnut Crown lift 2.5m.
- T12 Red Chestnut Crown lift 2.5m.
- T26 Lime Crown lift 3m.
- T27 Lime Crown lift 3m.
- T28 Beech Crown lift 3m.
- T29 Lime Crown lift 3m.
- T30 Lime Crown lift 3m.
- T31 Lime Crown lift 3m.
- T33 Sycamore Crown lift 3m.
- T34 Beech Crown lift 3m.
- T35 Lime Crown lift 3m.
- T36 Lime Crown lift 3m.
- T37 Sycamore Remove to ground level.
- T38 Whitebeam Remove to ground level.
- T39 Lime Crown lift 3m.
- T40 Beech Crown lift 3m.

- T41 Lime Crown lift 3m.
- T42 Ash Remove to ground level.
- T43 Field Maple Crown lift 3m.

Site: King Edward Vii Upper School Community Sports Centre (Melton Sports Village), Burton Road, Melton Mowbray, LE13 1DR

Applicant: Melton Borough Council

Planning Officer: Alex Coy

Report Author:	Alex Coy , Planning Development Officer
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Chief Officer Responsible:	Sarah Legge , Assistant Director for Planning
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Corporate Priority:	Delivering sustainable and inclusive growth in Melton
Relevant Ward Member(s):	Cllr Ian Atherton, Cllr Sharon Butcher (Melton Craven)
Date of consultation with Ward Member(s):	29 April 2024
Exempt Information:	No

Reason for Committee Determination:

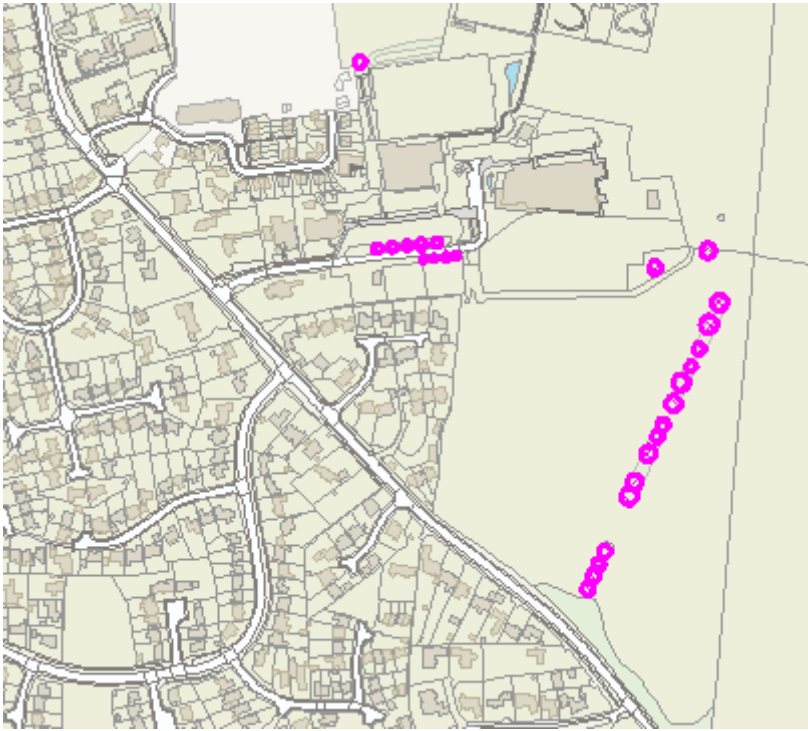
The applicant is Melton Borough Council. The application requires consideration by the Committee as it is an application submitted by the Council itself (Constitution Chapter 2, Part 9. 'Planning Committee functions and procedures').

Web Link: <https://pa.melton.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

What 3 words: <https://w3w.co/nods.zooms.things>

RECOMMENDATION(S)
1. It is recommended that the application is APPROVED subject to conditions set out in section 11 of this report.

Site Location Plan (Pink circles show location of trees)



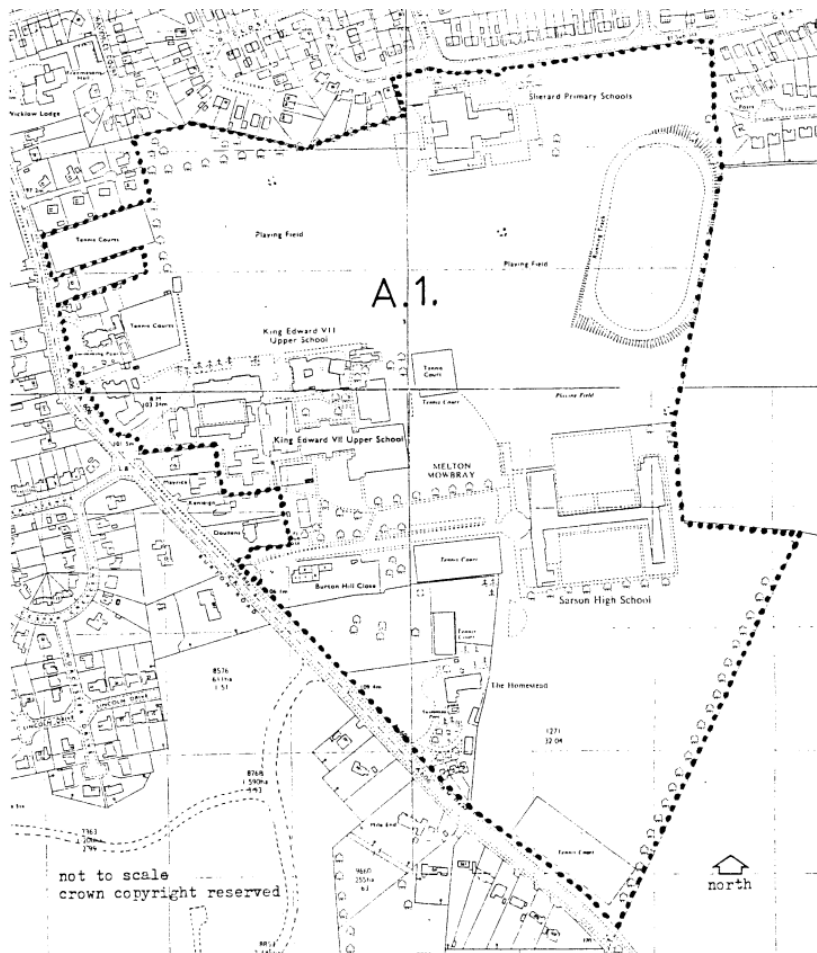
1 Executive Summary

- 1.1 The application site is located to the south of Melton Mowbray Town Centre, the trees are located over a large area within the grounds of King Edward VII Upper School Community Sports Centre, otherwise known as Melton Sports Village.
- 1.2 This application seeks to undertake a variety of works to 27 trees within the area, and there is currently a blanket TPO on all trees within the area covered by reference TPO 151/900/18. The majority of the works are crown lifts and 5 trees are proposed to be removed as part of the application. The agent and applicant have confirmed that all 5 trees being removed would be replaced and this is secured by condition.
- 1.3 LCC Forestry have raised no objections to the proposed works, the works are considered to be for general maintenance and not to impact the amenity of the trees. LCC Forestry advise that the trees to be removed are in poor health and their removal is acceptable.
- 1.4 Therefore, the proposal is recommended for approval subject to conditions.

Main Report

2 The Site

- 2.1 The application site is located south of Melton Mowbray Town Centre, the trees are located over a large area within the grounds of King Edward VII Upper School Community Sports Centre, otherwise known as Melton Sports Village. The site is east of Burton Road. Some of the trees are located adjacent to Rugby Pitches and some are located near a car park and tennis courts, one tree is located behind the 3G pitches.
- 2.2 The Blanket TPO that covers the site is referenced as 151/900/18 and can be viewed below, this was confirmed in 1984.



3 Planning History

- 3.1 17/00713/TPO - To trim one ash tree by 33% - Permit - 02.08.2017
- 3.2 18/01441/TPO - Trees adjacent to the car park to be crown lifted to 3m to give clearance to the car parking area and two Horse Chestnut trees to be felled due to being diseased – Permit - 01.04.2019
- 3.3 22/00579/TPO - T1 - Ash tree pollard down to around 30ft as has signs of decay at base and upper areas so pollard to reduce weight on crown and decaying structures that are present – PERMIT - 08.06.2022

4 Proposal

- 4.1 This application seeks to undertake a variety of works to 27 trees within the area, there is currently a blanket TPO on all trees within the area covered by TPO 151/900/18. The works proposed as part of this application would be carried out to a variety of Chestnut, Apple, Lime, Beech, Sycamore, Whitebeam, Ash and Maple trees.
- 4.2 The proposed works to 22 trees are crown lifts to a variety of heights carried out as ongoing maintenance of the trees. The remaining 5 trees are proposed to be removed as part of the application. The agent and applicant have confirmed that all 5 trees would be replaced.

5 Amendments

- 5.1 No amendments have been required or sought in relation to this application.

6 Planning Policy

- 6.1 The normal approach to the assessment of policies does not apply to applications for works to trees protected by a Tree Preservation Order. Consideration should be limited to the impacts of the proposed works on the contribution to amenity made by the tree.

7 Consultation Responses

7.1 Summary of Technical Consultation Responses

7.1.1 LCC Forestry

- a) Have reviewed the application and can confirm that all tree works specified are proportionate and reasonable to maintain the tree stock in good condition whilst ensuring appropriate canopy height over the footpath/roadway. Where trees are proposed for removal, these are in poor health and removal is valid. Replacement trees should be planted at the next planting season between Nov-Feb. All tree work should be undertaken in accordance with BS3998:2010 – Tree Work Recommendations

7.2 Summary of Representations

7.2.1 Ward Member(s)

- a) No comments received

7.2.2 Neighbours

- a) No comments received

7.3 Response to Consultations and Representations

- 7.3.1 Comments from LCC Forestry are noted and a condition regarding replacement would be placed on the permission if permitted.

8 Planning Analysis

8.1 Main Considerations

- 8.1.1 It is considered the sole issue relevant to this application is the necessity and impact of the proposed work on the trees.
- 8.1.2 The trees are spread across a large area of the Melton Sports Village site, it is considered that they are all highly visible within the public realm, due to the nature of the site itself and their location within it.
- 8.1.3 The proposed works are considered acceptable in terms of maintenance and the undertaking of these works will enable the trees to continue to grow in this location without causing nuisance to the adjoining buildings and users of the site. LCC Forestry have confirmed this and raised no objections.
- 8.1.4 The 5 trees that are to be removed are considered to be in poor health and show signs of decay. This has been confirmed by LCC Forestry. These trees would be replanted following the removal of the trees and this would be conditioned. The proposed wording of the recommended conditions can be found at section 11 of this report.
- 8.1.5 It is considered that the proposed works would be proportionate and acceptable whilst ensuring that they would not result in a negative impact upon the overall amenity of the trees in the long term.

9 Conclusion

- 9.1 As such, the works proposed are acceptable given that they would not visually impact upon the amenity of the trees and is part of ongoing maintenance of the trees. Replacement trees will be planted to replace the trees that are removed as part of the proposal.

10 Reason for Recommendation

- 10.1 The works proposed are modest and are considered acceptable in order to maintain the trees. The trees proposed to be removed are in poor health and would be replaced.
- 10.2 The works are part of a maintenance programme to ensure the trees remain healthy and do not compromise the usability of the site.

11 Planning Conditions

- 11.1 All tree works shall be carried out in accordance with BS3998, 2010.

Reason: To ensure that the works are carried out to a satisfactory standard to safeguard the trees.

- 11.2 The works hereby approved shall be begun before the expiration of 2 years from the date of this permission.

Reason: To ensure that the works are begun within a reasonable period.

- 11.3 This consent is granted subject to the planting of a replacement tree(s) for trees T3, T5, T37, T38 and T42. The replacement trees shall be of native species and they shall be planted at the first available planting season following the removal of the trees. The replacement trees shall be suitably maintained. If the tree(s) dies or becomes seriously damaged or diseased it shall be replaced with a tree(s) of similar species and size.

Reason: To preserve the visual amenities of the locality.

12 Informatives

- 12.1 This consent authorises only the works shown in the application. Any changes should be immediately reported to the Planning Development Manager for further consideration and should not be carried out until authorised in writing. Failure to adhere precisely to the approved details may result in this Council using enforcement action to remedy any breach of planning control.

- 12.2 You are advised that nesting birds and bats, their roosts and their access to these roosts are protected under The Wildlife and Countryside Act 1981. Therefore should birds or bats be present in the trees concerned in this application the felling should be deferred until late summer/autumn.

- 12.3 Trees may support roosting bats, which are protected by law from harm. As a precaution, the applicant should ensure that tree works are undertaken by a competent tree surgeon who is aware of the possibility of encountering bats and their protected status, as works must cease if bats are found during the course of the works whilst expert advice from a bat ecologist is obtained. In addition, all birds, their nests and eggs are protected by the Wildlife and Countryside Act. We recommend that work to trees is done outside the bird-nesting season - i.e. between the end of August and the beginning of March - or within 24 hours of the 'all-clear' from an appropriately qualified ecologist following a negative bird-nesting survey. Netting to prevent bird nesting may only be done with prior approval of the LPA.

13 Financial Implications

- 13.1 No financial implications identified

Financial Implications reviewed by: N/A

14 Legal and Governance Implications

14.1 No legal implications are presented by this report.

Legal Implications reviewed by: Tom Pickwell (Deputy Monitoring Officer)

15 Background Papers

15.1 N/A