


## **TREE PRESERVATION ORDERS**

### **New Tree Preservation Order Request**

#### **DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
Officer recommendation:	CPD	05.03.24
Manager/HoS Authorisation		06.03.24
Admin checks / despatch completed		

**Enquiry No: 1**

**Date received:** 31 January 2024

**Site visit:** 10 Aug 2023 and 26 February 2024

**Town / Parish:** Frating

**Application No.** 23/01072/FUL

**Address:**

Kings Arms  
Main Road  
Frating  
Essex

**1. Site Description**

The tree is situated in the on the southern boundary of the grounds of the public house adjacent to the agricultural land to the south.

**2. Trees**

1 Oak

**3. Officer Appraisal**

**Purpose of report**

A potential threat to the tree has been brought to the Councils attention by a member of the public who believes that the tree may be at risk because of a current development proposal reference; 23/01072/FUL for land currently being used as garden and a car park serving the Kings Arms Public House.

A copy of my comments (Formal Planning Consultation) on the planning application No. 23/01072/FUL are annexed to this report.

My first site visit was made on 10 August 2023 at which time the views expressed in the above report were made. Following the receipt of the request for a new TPO to be made in respect of the large Oak tree on the site it was considered prudent for a second site visit to be made to re-consider my original views with particular attention paid to the potential threat to the Oak.

Therefore, a second site visit and inspection of the tree was made to consider the health, condition and amenity value of the tree, along with the possible the threat to its viability to determine whether it merits formal legal protection by means of a Tree Preservation Order.

### **Amenity**

The tree features relatively prominently in the public realm and appears, from a visual inspection from the ground, to be in good condition. It has a well-formed branch structure and appears to be free of any significant pest or pathogen. No works to the tree have been carried out recently and the tree has a natural appearance typical of its species.

In terms of the amenity value of the tree the contribution that it makes to the character and appearance of the locality is recognised.

The tree has no obvious structural defects and has a long safe useful life expectancy.

A TEMPO (Tree Evaluation Method for Preservation Orders) assessment of the tree was made at the time of the site visit and is annexed to this report.

### **Threat to tree**

The tree is situated in the southeastern corner of a plot of land set out in planning application 23/01072/FUL. The application is for the construction of 2 new dwellings and the creation of a new car park serving the public house. The tree is shown as retained on the Block Plan submitted as part of the planning application.

It is considered that the separation distance between the tree and the closest part of the proposed new car park is sufficient to ensure that the tree will not be harmed by the implementation of the proposed development. This was the view taken at the time of the first site visit and it is still believed to be an accurate reflection of the situation.

### **Suitability for TPO**

The Oak is a mature healthy specimen that features relatively prominently in the public realm. It scores highly on the TEMPO assessment although it should be noted that the assessment is a guide to the value of trees and should not be considered prescriptive or a replacement for a professional assessment of the tree and any perceived threat to its viability.

Considering the position of the tree and the type and scale of the proposed development it is considered the development proposal can be implemented without compromising the long-term health or viability of the tree. Therefore, at the present time it does not merit formal legal protection by means of a Tree Preservation Order.

### **Recommendation**

No further action.

<b>Has the decision been published?</b>	<b>YES</b>	<b>NO</b>
---	------------	-----------

