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**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Tree Preservation) (England) Regulations 2012**

Proposal: TPO: 62/T3 Silver Birch located in the rear garden - Reduce height by approx 3m.

Amended to:

TPO: 62/T3 Silver Birch - Tree is growing over neighbouring property of 1 Osborne Close over the alleyway and roof of the house.

- Reduce the overhanging branches to give at least 2 metres clearance to avoid damage to the property (predominantly exempt tree works to abate a nuisance to the neighbour)

Location: 1A Dirdene Gardens, Epsom, Surrey, KT17 4AT, .

Application Number: 21/01565/TPO

Epsom & Ewell Borough Council as the local planning authority has considered your application for the above works to protected trees and GRANTS CONSENT to the proposed work subject to the following conditions:

1. Application permitted as amended.

All tree works should be carried out to British Standard 3998 and in accordance with the following specification:

Silver Birch - Reduce or remove secondary branches to obtain 2m clearance from the building of No.1 Osbourne Close (exempt works). Reduce the protruding branch higher above the roof back by 1.5m. An indication of the approved tree work is shown on the attached photograph.

Reason: To ensure that the tree(s) receive the appropriate treatment and that the tree work is of a satisfactory standard to protect amenity in accordance with Policies CS1 and CS5 of the Core Strategy (2007) Policies DM5 and DM9 of the Development Management Policies 2015, British Standard BS 3998 2010 and guidance to protect and enhance the natural environment contained within the National Planning Policy Framework 2021.

2. Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010. Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral branch.

Reasons: In the interests of the trees continued vitality, health and to accord with current industry guidelines and sound arboricultural practice and in accordance Policies CS1 and CS5 of the Core Strategy (2007) Policies DM5 and DM9 of the Development Management Policies 2015.

Informatives

1. The work in this notification must be completed within 2 years from the date of the notification. If this is not the case a new notification must be made to the local planning authority.
2. Anyone carrying out work to a tree, even under an exception, should ensure they do not contravene laws protecting plants and wildlife. If in doubt you are advised to seek advice from us or Natural England www.naturalengland.org.uk on how to proceed.

Dated: 29 July 2022

Signed:



Head of Place Development

Notes for applicants

If you are aggrieved by our decision to refuse consent for the proposed works or to grant consent subject to conditions, you may appeal to the Secretary of State in accordance with regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

An appeal should be lodged within 28 days of receiving the decision notice and should be made on the relevant appeal form and sent to:

Environment Appeals
Room 3/25 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Or emailed to: environment.appeals@pins.gsi.gov.uk

Appeal forms can be downloaded from: <https://www.gov.uk/appeal-decision-about-tree-order>

The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

In certain circumstances a claim may be made against the local planning authority for compensation where consent is refused or granted subject to conditions by the local planning authority or the Secretary of State on appeal. The circumstances in which such compensation is payable are set out in the Town and Country Planning Act 1990, and the relevant Epsom & Ewell Borough Council Tree Preservation Order.

