

PLANNING APPLICATION OFFICERS REPORT



Application Number	25/01558/TPO	Item	01
Date Valid	27.11.2025	Ward	EGGBUCKLAND
Site Address	The Stables, 41 Conqueror Drive Plymouth PL5 3UT		
Proposal	Beech tree to be pruned to the same pruning points as approved in 2015.		
Applicant	Mrs Tess Blight		
Application Type	Works to a tree with a TPO		
Target Date	22.01.2026	Committee Date	26.02.2026
Extended Target Date	N/A		
Decision Category	Councillor Application		
Case Officer	Alan Rowe		
Recommendation	Grant Conditionally		



This application is being considered by the Planning Committee as the Applicant is an elected Member of Plymouth City Council

I. Description of Site

The Stables is a Grade II listed building located in the Eggbuckland ward of Plymouth, that has been converted to self-contained dwellings as part of the wider Manadon Park re-development. The stables are positioned adjacent to Manadon House which is Grade II* listed. Many trees on the wider estate are protected by a tree preservation order, with the gardens and landscaping positively contributing to the character and appearance of the area.

2. Proposal Description

This is an application to undertake works to a tree which is protected by a Tree Preservation Order (TPO) dated 29th August 1996, TPO no 00/00302/TPO.

The works involve a Beech tree to be pruned to the same pruning points as approved in 2015.

This tree was first reduced in 2015, which established a new smaller crown for the tree.

This current application seeks to return the crown to the size established via the 2015 application. The tree has responded well to the previous reduction and has remained healthy and vigorous.

3. Pre-application Enquiry

None

4. Relevant Planning History

15/01276/TPO- Beech Tree: Reduce by 30% - Consent granted

17/01906/TPO- 1x Beech - 30% reduction - Application returned

17/02133/TPO- Prune back to previous pruning points - Application withdrawn

23/01293/TPO- Prune Beech tree - Application returned

5. Consultation Responses

None requested or received

6. Representations

None

7. Relevant Policy Framework

Applications for works to a tree protected by a TPO are governed by legislative provisions under the Town and Country Planning Act 1990 (TCPA 1990) and associated regulations. Specifically, section 198 of the TCPA 1990 permits local planning authorities to make TPO's to preserve trees in their area if it is deemed expedient in the interests of amenity.

The process for applying for consent to carry out works on trees subject to a TPO is detailed in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

TPO applications and applications for consent to carry out works on protected trees, are not applications for planning permission, so the statutory duty in section 38(6) of the Planning and Compulsory Purchase Act 2004 (the requirement to determine applications "in accordance with the development plan unless material considerations indicate otherwise") does not apply.

The main considerations when assessing tree works proposals are the impact that the works would have upon tree health and amenity value. That amenity value is quantified in terms of visual amenity from publicly accessible areas. The impact on tree health will be assessed taking account of the justification for the works provided by the applicant.

8. Analysis

8.1 This application has been considered in the context of the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012 as set out in Section 7.

8.2 The tree has been subject to previously approved pruning works and has responded well to this, regrowing to its former size. This indicates that it is vigorous and has good vitality. The tree has a healthy canopy and good leaf cover. No significant structural defects or any signs of any disease or pathogens were found during the officers ground level Visual Tree Assessment (VTA).

8.3 It is however noted that there was a limb failure in 2003, when a large limb fell into the courtyard causing damage to a garden shed and a vehicle. The detailed arboricultural report prepared at the time identified some concern regarding the risk resulting from its location in a confined residential area. This information helps support and justify the works proposed.

8.4 Any minor reduction in terms of tree functionality, and the reduction in the provision of eco system services, will be insignificant and temporary as the crown of the tree will grow back to its current proportions.

8.5 The tree grows in an enclosed area and wider public amenity is limited so the proposal will not significantly detract from public visual amenity. The works will not detract from the character and appearance of the area.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

None

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations are not sought due to the nature and size of proposal.

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty. The application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

This tree was first reduced in size in 2015, which established a new smaller crown for the tree. This current application, again, seeks to return the crown to the size established via the 2015 Application. The tree has in the past responded well to the reductions and has remained healthy and vigorous.

In this instance, the impact upon amenity and tree health of the works are considered to be acceptable and the application is recommended for approval.

14. Recommendation

In respect of the application dated 27.11.2025 it is recommended to Grant Conditionally.

15. Conditions / Reasons

1 CONDITION: STANDARD

All work to be carried out in accordance with BS 3998:2010 Tree Work - Recommendations.

2 CONDITION: TIME LIMIT

The work is to be carried out within 2 years of the above date.

INFORMATIVES

1 INFORMATIVE: BATS AND BIRDS

Bats and birds are protected under the Wildlife & Countryside Act 1981 and the Countryside and Rights of Way Act 2000, it is an offence to deliberately or recklessly disturb them or damage their roosts or habitat. Therefore, close inspection of the trees should be undertaken prior to the commencement of works to determine if any bats or birds reside in the trees. No works should occur while birds are nesting which may be at any time between the month of March to September inclusive; if bats are present works should cease until the applicant has obtained further advice from Natural England on 0845 601 4523 or email wildlife@naturalengland.org.uk. Further advice on bats is available from The Bat Conservation Trust 0845 1300 228.

2 INFORMATIVE: BS 3998:2010

All work to be carried out in accordance with BS 3998:2010 Tree Work - Recommendations.