

# Council of the Isles of Scilly Delegated Planning Report Tree Works Notification

**Application Number:** P/21/079/TWA

**Received on:** 20 September 2021

**UPRN:** 000192001888

**Application Expiry date:** 15 November 2021

**Site notice posted:** 8 October 2021

**Site notice expiry:** 29 October 2021

**Applicant:** Mrs J Chiverton St Marys Parish Church

**Site Address:** Old Town Church  
Old Town Road  
Old Town  
St Mary's  
Isles Of Scilly

**Proposal:** Removal of a Holly Tree that has died and is on top of a  
grave on the old part of the graveyard.

**Application Type:** Tree Works Applications

**Recommendation:** No Objection

## Site Description and Proposed Development

The proposal is for the removal of a Holly tree which is sited within the graveyard at Old Town Church. The 4-5m tall tree is growing almost on top of a grave at the southern end of one of the mid to high tiers adjacent to the terrace wall and footpath that runs along the south boundary with the adjacent farmland.

The graveyard slopes up towards the site although as the land continues to rise, the scene is dominated by Elm trees on the edge of the farmland to the south with the immediate scene consisting of headstones and granite terrace walls.

## Consultations and Publicity

The application has had a site notice on display for 21 days (08/10/2021-29/10/2021). The application appeared on the weekly list on 11<sup>th</sup> October 2021. Due to the nature of the proposal no external consultations are required.

## Representations from Residents:

Neighbouring properties written to directly: There are no neighbouring properties to the site.

1 letter of objection has been received stating that the tree is not dead and sprouting from the trunk. He estimates that it is around 120 years old and just needs some dead branches removed not cutting down.

1 letter of support has been received from a person involved in carrying out the renovation work and supporting a team of volunteers. It is stated that the overbearing size of the tree means that this side is permanently dark and its removal would bring light into the terraces. They refer to discussions with local tree specialist, who they imply has confirmed the tree is dying around its crown and many of the limbs are dead or in very poor condition. So whilst the trunk is shooting new growth its removal would help in the renovation works, currently being carried out.

## Constraints:

- AONB
- Conservation Area;
- Archaeological Constraint Area – Old Town Church;
- Listed Building – Old Town Church Grade II\* - 30m
- Listed Buildings – 4x Headstones Grade II – <50m

## Tree Assessment

Tree Works Proposed	YES OR NO
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Tree Felling	YES
Tree Pruning	NO
Works required to reduce hazards	YES
Works required for general tree maintenance	NO
Multiple Trees	NO
Single Tree	YES
Native Trees	Yes
High Amenity Value	No

**Analysis:** The trees are protected by the Conservation Area designation which covers the entire Isles of Scilly. Prior to any person undertaking tree pruning or felling works they are required to serve Notice 211 on the Council, allowing 6 weeks notification of any tree works to be carried out. This allows sufficient time for the Local Planning Authority to assess the appropriateness of the works proposed and determine whether a Tree Preservation Order (TPO) is required, that would essentially permit the use of restrictive conditions on any works proposed. It also ensures that adequate (and qualified) justification is submitted to support the works, particularly in cases of tree removal, where the works are deemed to have harmful impact upon the amenity value they hold and any importance to the character of the conservation area.

Although the tree is visible from some angles and distant views across Old Town Bay, the sloping land and volume of trees around the site mean that in the wider landscape, as an individual tree its amenity value is limited. It is considered that the amenity value from within the site that is the most significant consideration

Having visited the site, the tree appears it holds a moderate amount of amenity value, but overall and on-balance it is not considered that this tree is sufficiently important to the wider conservation area, to warrant a Tree Preservation Order (TPO). It is recognized that the tree is a native evergreen to the UK, it is not obviously dead, but it clearly has some health issues and is causing some harm to graveyard structures but given its limited wider visibility, in the wider landscape it is considered that the tree should not be subject to a TPO.

Tree Preservation Order	YES OR NO
Recommendation for a TPO	n

**Print Name:** Lisa Walton

11/11/2021

**Job Title:** Chief Planning Officer

**Signed:**



*Authorised Officer with Delegated Authority to determine Planning Applications*