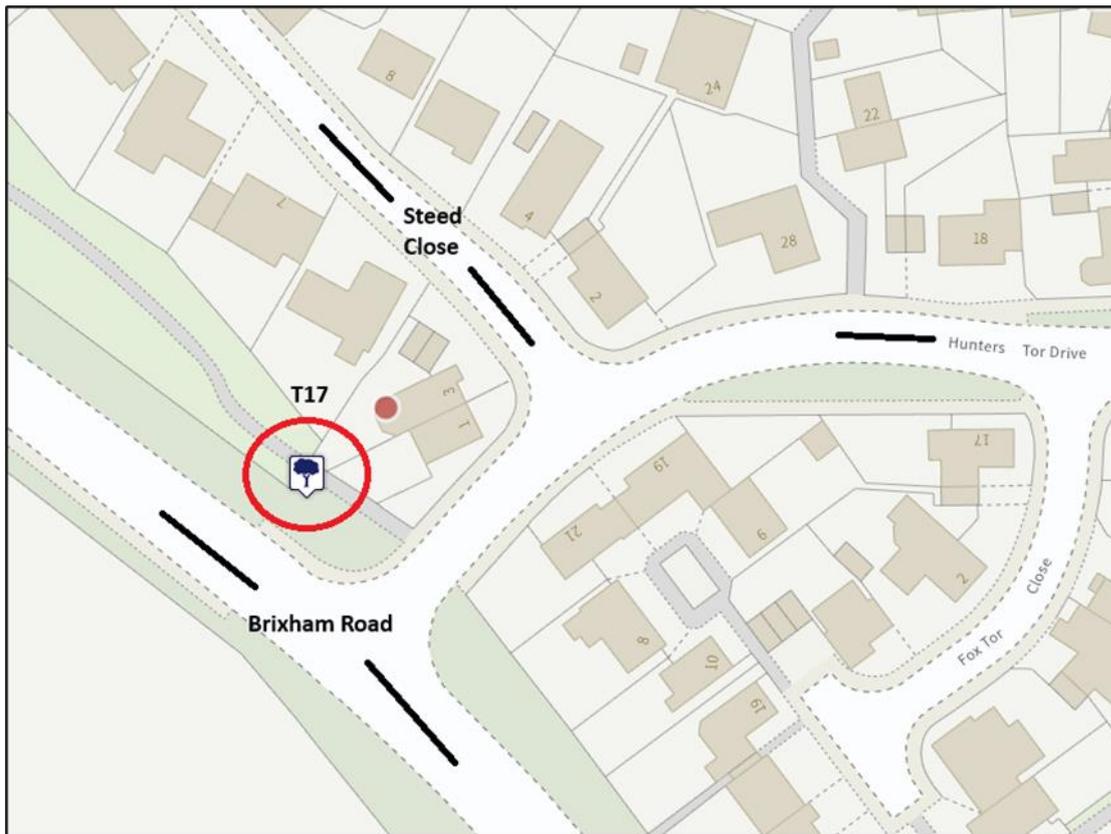


# TORBAY COUNCIL

Application Site Address	Within Highway Verge Forming Boundary to Brixham Road to SW Of 3 Steed Close, Paignton
Proposal	Targeted crown reduction to a protected Horse Chestnut tree growing within the adopted highway
Application Number	AT/2026/0037
Applicant	SwisCo
Date Application Valid	23.01.26
Decision Due date	20.03.26
Recommendation	<p>The conditions as outlined below with the final drafting of conditions delegated to the Divisional Director of Place Strategy;</p> <p>The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Place Strategy, including the addition of any necessary further planning conditions.</p> <p>If Members of Planning Committee are minded to refuse the application against officer recommendation, final drafting of the reason(s) will be delegated to the Divisional Director of Place Strategy and in consultation with the chairperson.</p>
Reason for Referral to Planning Committee	The application site is within land owned by the Council and, on legal advice, is to be determined by Planning Committee in the interests of probity and transparency.
Planning Case Officer	Jim Blackwell

## **Location Plan**



## **Site Details**

The application relates to adopted highway land forming the boundary with Brixham Road and the boundary of Steed Close. The tree species is Horse Chestnut.

## **Description of Works**

The proposal seeks consent for minor tree pruning works, specifically crown reduction, in order to abate a common-law nuisance arising from encroaching overhanging branches.

The works are proposed following discussions between SwisCo and the residents affected by the tree.

## **Summary of Representations**

At the time of writing, no representations have been received.

## **Policy Context**

In assessing this application, regard has been had to the Town and Country Planning (Tree Preservation) (England) Regulations 2012. Consideration has also been given to the Torbay Local Plan 2015–2030, in particular Policy C4 (Trees,

Hedgerows and Woodlands), which seeks to protect trees that contribute positively to the character and amenity of the area, and Policy SS8 (Green Infrastructure), which supports the appropriate management of green infrastructure assets. The National Planning Policy Framework is also relevant insofar as it seeks to conserve and enhance the natural environment.

In this case, the limited and targeted nature of the proposed works is considered to strike an appropriate balance between maintaining the amenity value of the tree and addressing the reasonable needs of adjoining occupiers, and the proposal is therefore considered to accord with the above policies, subject to conditions controlling the timing and standard of works.

### **Officer Recommendation**

Officer Recommendation  
Approval: Subject to;

The conditions as outlined below with the final drafting of conditions delegated to the Divisional Director of Place Strategy;

The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations.

If Members of Planning Committee are minded to refuse the application against officer recommendation, final drafting of the reason(s) will be delegated to the Divisional Director of Place Strategy and in consultation with the chairperson.

### **Conditions:**

#### **1. Time Limitation**

The works hereby permitted shall be completed within two years of the date of this consent, unless the Local Planning Authority agrees otherwise in writing.

#### **Reason:**

To ensure the works are carried out in a timely manner in accordance with Section 17(4) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

#### **2. Work Standards**

All works shall be carried out in accordance with British Standard BS 3998:2010 Tree Work – Recommendations and the European Tree Pruning Guide (2001).

#### **Reason:**

To regulate the quality and extent of the works in the interests of good arboricultural practice and to safeguard the amenity value of the tree.