



Appeal Decision

Site visit made on 13 May 2026

by Simon Cox MSc PgDip FArborA CEnv

an Inspector appointed by the Secretary of State

Decision date: 3 June 2026

Appeal Ref: APP/TPO/K2420/10804

Shady Trees, 19 Station Road, Desford, Leicestershire, LE9 9FN

- The appeal is made under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 against a refusal to grant consent to undertake work to a tree protected by a Tree Preservation Order (TPO).
 - The appeal is made by Mr Nunn against the decision of Hinckley & Bosworth Borough Council.
 - The application, Ref: 25/00597/TPO, dated 19 June 2025, was refused on 12 August 2025.
 - The work proposed is to raise the canopy of a giant redwood to 5m.
 - The relevant TPO is the Desford (19 Station Road) Tree Preservation Order 1997, which was confirmed on 16 September 1997.
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Decision

1. The appeal is allowed and consent is granted to undertake work to the giant redwood tree protected by the Desford (19 Station Road) Tree Preservation Order 1997, in accordance with the application, Ref: 25/00597/TPO, dated 19 June 2025, subject to the following conditions:
 - 1) The work for which consent is hereby granted shall be implemented within two years from the date of this decision.
 - 2) All tree work shall be carried out in accordance with British Standard BS 3998: Tree work: Recommendations (or equivalent British Standard if replaced).

Main Issue

2. I consider the main issue to be the effect of the proposed work on the character and appearance of the area and whether sufficient justification has been demonstrated for the proposed work.

Reasons

3. 19 Shady Trees is a detached residential property set back from a highway in the village of the Desford. The appeal tree is a tall, mature giant redwood located directly in front of the house and adjacent garages. The base of the tree is also surrounded by the driveway.
4. The tree is a significant feature of the site, but public visibility of the lower stem and crown is limited due to many other mature surrounding trees screening the house frontage from the highway. Accordingly, there is limited visibility of the parts of the tree associated with the proposed pruning works. But the upper crown of the tree, which showed good vitality, is clearly visible from afar.
5. The proposed pruning will not raise the canopy much beyond its current lowest point. I noticed multiple cuts on lower branches that had raised the crown by branch removal or shortening in the past. As the tree has responded well to that pruning, this suggests it has not been severely affected by the previous works.
6. The tree is close to the building and its lower branches grow low enough to affect light to the first-floor windows. Therefore, I consider raising the canopy by minor pruning to offer a solution to the issue with little long-term effect on the tree.
7. Additionally, the local and national policies referenced are applicable to development. I do not associate them directly with whether works should be permitted to trees subject to tree preservation orders.

Conclusion

8. With any application to carry out works on a protected tree, a balancing exercise must be undertaken. The essential need for the works applied for must be weighed against any resultant harm to the amenity of the area. In this case, the proposed pruning of the giant redwood tree would result in limited harm to the character and appearance of the area, and, in my judgement, there is sufficient justification for the proposed works. Thus, I conclude that the appeal should be allowed subject to two conditions.

Simon Cox

INSPECTOR