DELEGATED REPORT

Recommendation Made: 1 November 2011

Reference:- 11/00758/TPO **Parish:- Burbage Parish Council**

Applicant:- Mrs Bridget Hughes
Grangemore
150A Wolvey Road
Burbage
Leicestershire

Location:- 150 Wolvey Road Burbage Hinckley Leicestershire LE10 2JJ

Proposal:- WORKS TO DEODAR CEDAR

Introduction:-

This application seeks approval for works to one Deodar cedar (T1) which is located to the front on the property at 150A Wolvey Road, Burbage.

Relevant Planning History: -

04/00876/TPO - Works to Tree - Planning Permission - 01.09.2004
06/01163/TPO - Works to Tree - Planning Permission - 07.12.2006

Consultations:-

The Borough Councils Tree Officer has replied saying that as no professional report has been submitted with the application it can not be recommended for approval despite the safety concerns raised.

No objection has been received from: -
Burbage Parish Council

Development Plan Policies:-

No Policies.

Appraisal:-

The Deodar cedar within this application which is subject to maintenance work forms part of the Land at Wolvey Road, Burbage Tree Preservation Order 2003.

The main considerations with regards to this application is whether the proposed works will have a detrimental effect on the health and visual appearance of the tree and the surrounding area.

Upon inspection of the Deodar cedar it appears that the tree is in good condition and adds significantly to the surrounding area. It is clear from the site inspection that this is a large specimen which holds a prominent position within the street scene. With the absence of any Arboricultural evidence the proposed work could have a detrimental affect on the health of the tree with approximately 3 metres to be lost from the top of the tree thus reducing its value within the street scene.

From the information provided it has not been demonstrated that the proposed works would not have detrimental impact on the health and appearance of the tree.

Conclusion.

Whilst the application proposes a 30% reduction in height on safety grounds there is no Arboricultural evidence submitted that demonstrates that the work is necessary and will not have an adverse impact upon the tree. In the absence of fully understanding the impact of the proposed works it is reasonable that the LPA act cautiously acting in the best interest of the street and its contribution as TPO, therefore the application is recommend for refusal.

Recommendation:- Refuse Consent to carry out work to tree(s) protected by a Tree Preservation Order for the following reasons:-

Reasons :-

1 The application fails to demonstrate that the proposed 30% reduction in height of the tree is necessary and does not confirm whether the works are possible or reasonable.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Joanne Orton Ext 5666