DELEGATED REPORT

Recommendation Made:

Reference:- 11/00175/TPOCA **Parish:- Market Bosworth Parish Council**

Applicant:- Mr Dilks
19 Market Place
Market Bosworth
Nuneaton
Leicestershire

Location:- 19 Market Place Market Bosworth Nuneaton Leicestershire CV13 0LF

Proposal:- WORKS TO 1NO HOLLY TREE AND 1NO WALNUT TREE

Introduction:-

This application notifies the Local Planning Authority of intent to carry out works to one Holly Tree and one Walnut Tree which are situated on the rear side boundary of 19 Market Place, Market Bosworth Located within Market Bosworth Conservation Area.

The proposed works are :-

T1 - Holly - Reduction in height by 3.5m
T3 - Walnut - Reduce the overhang off the roof line by 1m

05/00019/TPOCA - WORKS TO TREE - Permitted

Consultations:-

The Local Planning Authority's Arboricultural Specialist has commented that the Holly is declining in vigour with a thin outer canopy and the tree does not merit protection with a Tree Preservation Order due to limited public visibility and poor appearance. The Walnut has been poorly positioned very close to the cottage and therefore does not merit a Tree Preservation Order.

Development Plan Policies:-

No Policies

Appraisal:-

The main consideration with regard to this application is the whether the trees are suitable for protection with a Tree Preservation Order.

Amenity

The Holly and the Walnut trees are located on the side boundary of the rear garden of 19 Market Place and are clearly visible to the public car park to the rear as well as Market Bosworth Square, providing a high level of amenity.

Health and location

The Holly tree is declining in vigour with a thin outer canopy and the Walnut tree has been sited within close proximity of the property which is unsuitable for long term retention as the tree is likely to impact on the property.

In summary, both trees hold enough amenity value to warrant a Tree Preservation Order but are unsuitable as the Holly is declining in health and the Walnut tree is inappropriately sited.

In summary, both trees hold enough amenity value to warrant a Tree Preservation Order however, are considered to fail the test applied to impose a Tree Preservation Order on the basis of their health.

I recommend this Local Planning Authority raise no objection to this notification.

Recommendation:- No objection to work to tree(s) within Conservation Area subject to the following conditions:-

Reasons :-

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:- Nick Cox Ext 5659