

APPLICATION NO	PA/2011/1469
APPLICANT	Mr P Tasou
DEVELOPMENT	Notice of intention to fell two yew trees, and prune a yew tree and a sycamore tree within a conservation area
LOCATION	East Acridge House, East Acridge, Barton-upon-Humber
PARISH	BARTON-UPON-HUMBER
WARD	Barton-upon-Humber
SUMMARY RECOMMENDATION	Confirm a tree preservation order
REASONS FOR REFERENCE TO COMMITTEE	Objection by property owner

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy LC12 (Protection of Trees, Woodland and Hedgerows) states particular regard will be given to the protection of these features within the setting of settlements, the protection of ancient woodlands and historic hedgerows and the amenity value of trees within built-up areas.

Policy DS1 relates to general requirements to be taken into account on all applications, including the need to protect features of conservation interest, including trees and woodland the subject of tree preservation orders.

CONSULTATIONS

The owner objects to a tree preservation order being placed on the two mature yew trees, T1 and T2, proposed for felling. He believes they are dying and are also causing structural damage to a garden wall and outbuilding. He does not object to the order on the yew and sycamore proposed for pruning.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. No responses have been received.

ASSESSMENT

A conservation area notification proposed to remove two yew trees, and prune another yew and a sycamore situated in the front roadside garden of East Acridge House. The council considered the proposed pruning work was not good for the health of the trees, and that removal of the yews along with pruning work would affect the character of the local landscape. So on 4 January 2012 the council made a temporary tree preservation order protecting the three yews and one sycamore for a period of six months.

The main issue of this application is to determine whether to confirm the tree preservation order so that its provision permanently protects the trees.

Impact of the proposed removal of the trees

All the trees are within the Barton-upon-Humber conservation area. They form part of a well-treed street scene, softening the hard edges of a relatively dense urban landscape. Trees T1 and T2 also contribute to the setting of an imposing town dwelling which would be diminished by their removal, as would the character of the local landscape.

Grounds put forward for the objection to the tree preservation order and removal of the trees

(1) The trees are dying

New legislation which became effective on 6 April 2012 removes the exemption to fell trees because they are dying. Also, in this case, it is not apparent that the trees are in such a condition that they are in terminal decline. They have discoloured and sparse foliage, as do a number of yews which suffered in the prolonged cold winter of 2011. However it is very possible that, given time, they will recover. If that doesn't happen, a future application to fell them may be appropriate.

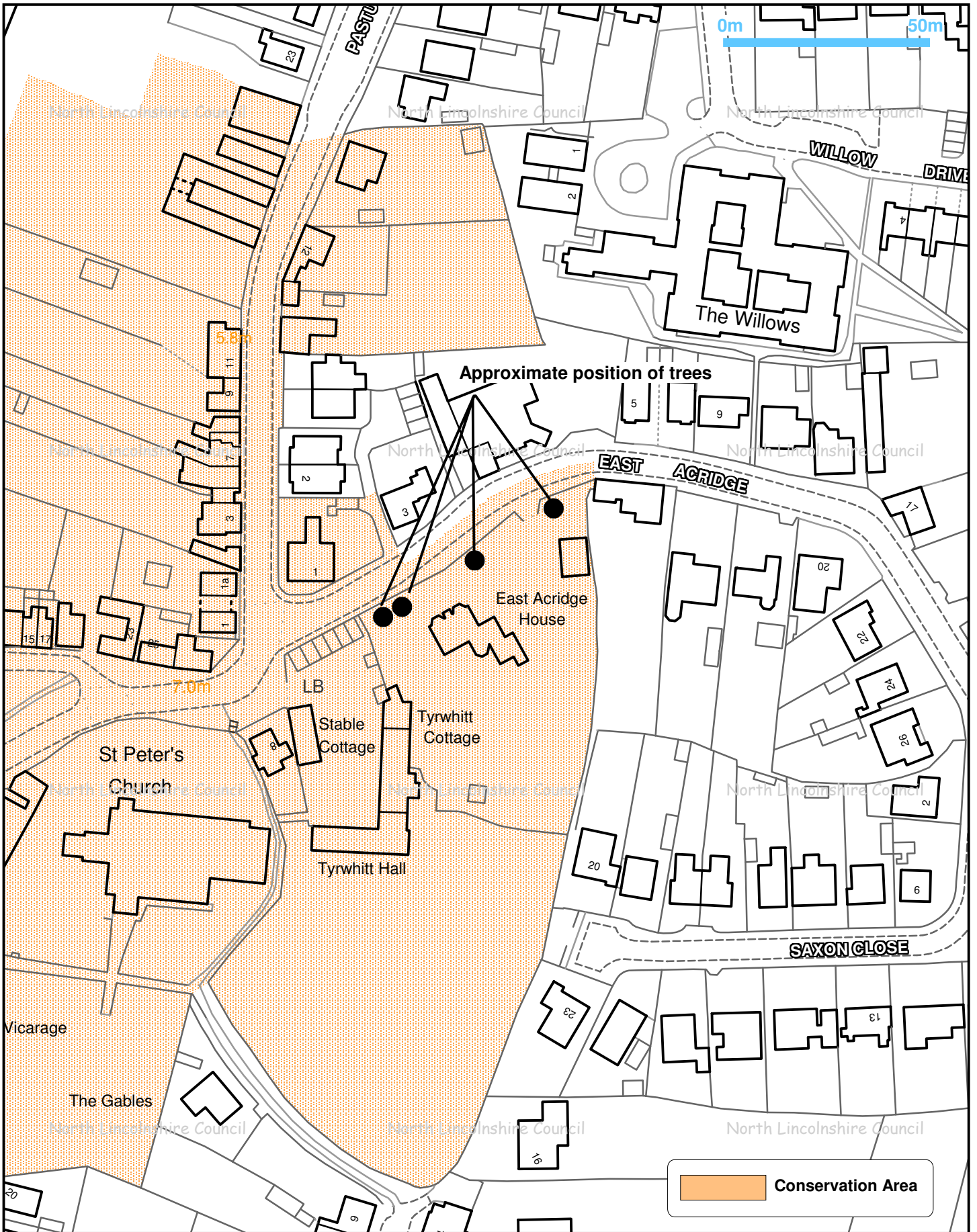
(2) The trees are damaging a garden wall and outbuilding

Trees can have an impact on walls and buildings, and those in question do show signs of movement. However, such movement can be caused by many agents and there is no evidence that either of the structures has been well maintained or that the trees are responsible for any structural movement. Should such evidence be produced the council would consider it and any remedial measures proposed to mitigate damage.

Impact of the proposed pruning

Following a consultation with the council's tree officer and the making of the tree preservation order, the decision was made not to prune the sycamore, but an application was made to prune the yew T3. The work proposed was clear, unambiguous and in line with good tree care, and so the application was approved.

RECOMMENDATION Confirm the tree preservation order to continue protecting the three yews and the sycamore.



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