

APPLICATION NO	PA/2010/0706
APPLICANT	Mr S Holmes
DEVELOPMENT	Notice of intention to fell a sycamore tree situated within a conservation area
LOCATION	50 Fleetgate, Barton-upon-Humber
PARISH	BARTON-UPON-HUMBER
WARD	Barton-upon-Humber
SUMMARY RECOMMENDATION	Do not make a tree preservation order and allow the works to proceed
REASONS FOR REFERENCE TO COMMITTEE	Objection by Barton-upon-Humber Town Council

POLICIES

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

Highways: No objection.

TOWN COUNCIL

The town council objects to the proposal for the following reasons:

- No valid reason has been given for the removal of the tree.
- The tree adds to the heritage and street scene of the town.

PUBLICITY

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

ASSESSMENT

This is a notification of the intention to fell a sycamore tree within a conservation area.

Section 211 of the Town and Country Planning Act 1990 requires anyone proposing works to a tree in a conservation area to give the local planning authority six weeks' notice of their intention. This gives that authority the opportunity to consider bringing the tree under their general control by making a tree preservation order.

The main issue in determination of this notification is whether the tree offers such amenity to the locality that a tree preservation order should be made.

Addressing the town council's concerns, the legislation under section 211 only requires a description of the work proposed and sufficient information to identify the tree. Therefore there is no legal requirement for a reason to be given for the removal of the tree.

However, whilst not legally required to, the applicant has stated on the application form that the tree is too large for the garden and blocks light extensively. This suggests loss of reasonable enjoyment of the property and is a valid reason to require works to the tree to address that concern.

Regarding the visual amenity of the tree, as a generalisation, trees do add significantly to the heritage and street scene of localities. However in this case it is considered the tree has an extremely minimal impact . To appreciate this the images below show the street scene in the locality and of the tree in particular.



Subject tree – little significance on street scene

1. View from 4 Butts Rd, Barton upon Humber.

Image 1 shows the sycamore tree and is the only view of the tree in the locality. It is assessed as being a young small tree now and in the future as a large mature specimen will not be significant in the street scene.



Image 2 shows trees already protected by a TPO which are arguably more significant and worthy of their protection.

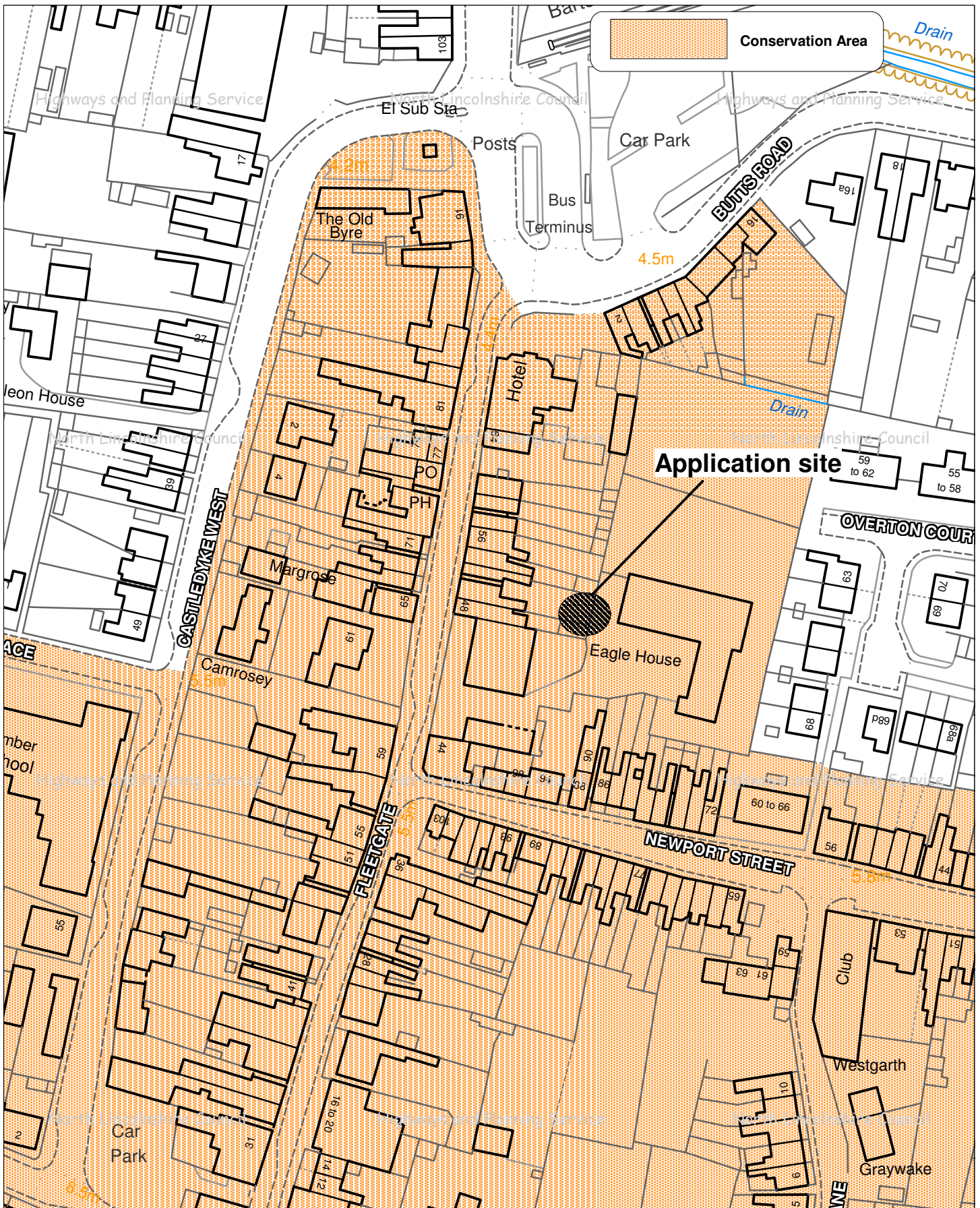


Image 3 is the view north along Fleetgate and shows the street scene is not characterised by trees. Also there is little opportunity to plant trees with two-storey buildings directly fronting onto the footway. The subject tree is neither visible from Fleetgate or the nearby Newport Street.

The council's tree officer acknowledges and is mindful of the town council's comments. However the particular circumstances of this case - that the tree has little impact, both now

and in the future, on the street scene – lead to a recommendation that a tree preservation order should not be made.

RECOMMENDATION **Do not make a tree preservation order and allow the works to proceed.**



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2010



Highways and Planning Service

Service Director,
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