

Development Management Delegated Decision Report

B/21/0115



SUMMARY OF APPLICATION			
Application Reference	B/21/0115		
Application Type	Notification to carry out works on trees		
Proposal	Notification of works to trees in a conservation area to include: Tree A - Small Tree Unknown - Fell Tree B - Walnut Tree - Fell Tree k - Large Christmas Tree - Fell		
Location	Pinch Penny Cottage, Thornimans Lane, Frampton, Boston PE20 1AJ		
Applicant	Mrs Rebecca Shinn		
Agent			
Received Date:	11-Mar-2021	Consultation Expiry Date:	N/R
Valid Date:	11-Mar-2021	Statutory Expiry Date:	22-Apr-2021
Date of Site Visit:	23-Mar-2021	Extension of Time Date:	N/R
Objections received?	None		
5 day notification record:			
	Councillors notified	Date	Response received – date
			Ok to continue
Recommendation	Do not make a tree preservation order in respect of these trees.		
Report by:	Emma Dennis		
Date:	16/04/2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

This notification relates trees within a residential garden which is on a narrow lane with neighbouring properties to either side of the application site. A total of 3 trees are proposed to be removed, two from the north of the site which is the driveway area and one from the south side of the property within the garden and partly shielded by a large boundary hedge.

DETAILS OF PROPOSAL:

A location plans has been submitted showing the location of the trees and a key showing the work to be done to each tree.

It is proposed to:

Fell Tree A – Unknown small tree

Fell Tree B - Walnut tree

Fell Tree K - Large Christmas tree



RELEVANT HISTORY:

B/06/0316 – Glass link dwelling from main dwelling to summer house
Granted 15/06/2006

B/07/0663 – Single storey rear extension to form one bedroom annexe
Granted 18/12/2007

B/10/0292 – Time limit extension in order to implement extant permission B/07/0663
Granted 28/09/2010

B/20/0268 - Application for works to trees within a conservation area to include:

A - Small Tree - Unknown - Trim overhanging Highway and Drive

B - Walnut Tree - Trim overhanging Drive

C - Small Tree - Unknown - Fell

D - Pine Tree - Fell

E - Walnut Tree - Fell

F & G - Small Fruit Trees (Pear and Apple) - Fell

H - Silver Birch - Fell

I & M - Holly Trees - Fell

J - Cherry Tree - Fell

K - Large Christmas Tree - Trim

L - Small Christmas Tree – Fell

Approved 02/09/2020

B/20/0352 – Erection of a single storey garage, workshop and wood store.
Granted 16/12/2020

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

These trees are located within the Frampton Conservation area. In considering a Section 211 Notice, the Borough Council essentially has two options: to make a tree preservation order if justified in the interests of amenity; or to decide not to make a tree preservation order, in which case the proposed works can be carried out.

The provisions of the Government's Planning Practice Guidance are of relevance. The Guidance states that, in deciding whether a tree in a conservation area merits TPO protection "the authority's main consideration should be the amenity value of the tree. In addition, authorities must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Even if the tree's amenity value may merit an Order the authority can still decide that it would not be expedient to make one."

CONSULTATION RESPONSES:

No consultation responses have been received.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

An assessment is required of the amenity value of the tree(s) and whether it/they help to preserve the character or appearance of the conservation area. The assessment considers the condition of the tree, its retention span, relative public visibility and other

factors – such as, but not limited to, whether it is part of a group, has historical importance and, has good form.

Thornimans Lane is a very narrow road which is lined with many large trees, many overhanging the road itself. The trees themselves are very visually attractive and line the road from both sides.

Tree A which is an unknown tree and Tree B a Walnut tree are in the northern part of the garden can be viewed from the public highway, however they are modest in size and located against a large boundary hedge which provides privacy from the neighbouring property, once these trees have been felled this dense hedge will remain.

Tree K is a large Christmas tree located in the south eastern corner of the plot alongside another smaller Christmas tree and a mature boundary hedge. Only the top part of tree K can be seen from the public highway however once the tree has been felled there will still be a dense line of trees and hedging along this boundary. It is considered that this tree does not have sufficient amenity value to merit tree preservation order protection and there removal will cause negligible harm to the character of the conservation area.

From the above considerations, it is concluded that the trees are not appropriate for a Tree Preservation Order and the proposed works to the three trees mentioned are justified.

CONCLUSION:

The proposed works will have only very limited impacts upon the character and appearance of the Conservation Area.

RECOMMENDATION:

Do not make a tree preservation order in respect of these trees.