

Development Management Delegated Decision Report

B/21/0117



SUMMARY OF APPLICATION				
Application Reference	B/21/0117			
Application Type	Notification to carry out works on trees			
Proposal	Notification of works to trees within a Conservation Area to include: Holly Tree - Prune, raise canopy to approximately 2.5 metres above ground level. Remove new shoots from top of tree			
Location	97, Spilsby Road, Boston, PE21 9N			
Applicant	Mr & Mrs David & Barbara Parkinson			
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:	26-Mar-2021	Extension of Time Date:	N/R	
Objections received?	None			
5 day notification record: N/A				
	Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Do not make a tree preservation order in respect of this tree			
Report by:	Emma Dennis			
Date:	19/04/2021			

OFFICER REPORT

SITE AND SURROUNDINGS:

This notification concerns one Holly tree in the front of the garden of 97 Spilsby Road. The tree overhangs the neighbouring property (No.95) and the public highway and can be clearly seen from both directions of Spilsby Road due to its size.

The application site is within Boston (Spilsby Road) conservation area.

DETAILS OF PROPOSAL:

It is proposed to prune the Holly tree, which is located in the front garden of the property on the boundary shared with 95 Spilsby Road, to raise the canopy to approximately 2.5m



above ground level to allow vehicular access. It is also proposed to remove new shoots from the top of the tree.

RELEVANT HISTORY:

B/00/0368 Boston Tree Preservation Order No. 15 (1991) - Application to remove the crown of a Eucalyptus (Tree T1 of the above order) by approximately 10%, and to remove small branches growing into the nearby conifers.
Approved 31/08/2000

B/00/0369 Notification under Section 211 of the Town and Country Planning Act 1990 to reduce the height of a conifer by approximately 4.5 metres growing into the nearby conifers.
Approved 31/08/2000

B/03/0822 25% Crown reduction of Eucalyptus tree
Approved 22/01/2004

B/05/0710 Removal of three branches from a Silver Birch
Approved 30/11/2005

B/07/0080 Remove dead wood and raise crown of Monkey puzzle tree
Approved 09/03/2007

B/08/0537 Application to carry out works to tree protected by Tree Preservation Order
Approved 06/11/2008

B/11/0224 Works to Eucalyptus Tree (T1) - to reduce overall size by 40%
Approved 18/07/2011

B/18/0225 Application for works to trees subject to TPO (Boston No. 15) to include:
T1 - Eucalyptus Tree reduce crown height by 5m, raise crown, balance and shape
Approved 20/06/2018

B/18/0492 Application under s211 for works to trees in a conservation area to include:
T1 (Leilani) - Fell
T2 (Magnolia) - Crown reduction by 2.8 metres
Approved 09/01/2019

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The tree is located within the Boston 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:

The tree is significant in size and given its location on Spilsby Road it blends in well as both of these roads are very well stocked with mature trees of different varieties. As a consequence, it has limited public amenity value and makes a little contribution to the character and appearance of the area.

The proposed works would involve pruning and raising the canopy of this tree to approximately 2.5m above ground level and to remove new shoots to the top of the tree. It is considered the works would not have a significant impact upon the tree's appearance from public vantage points.

The works are justified and will have no significant impact upon the tree's amenity value or the character and appearance of the area.

CONCLUSION:

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

RECOMMENDATION:

Do not make a tree preservation order in respect of this tree.