

# Development Management Delegated Decision Report

B/21/0297



SUMMARY OF APPLICATION			
<b>Application Reference</b>	B/21/0297		
<b>Application Type</b>	Notification to carry out works on trees		
<b>Proposal</b>	Application for works to Trees subject to TPO (Boston No 11) to include:  T1-Ash- Fell T2-Ash- Fell T3- Sycamore- Reduce crown by 30% T4-6- Replant 3 trees of a suitable species		
<b>Location</b>	Woodlands, Fenside Road, Boston, PE21 8JJ		
<b>Applicant</b>	Mrs Maria		
<b>Agent</b>	Mr Ben Ruck, TFTC		
<b>Received Date:</b>	21-Jun-2021	<b>Consultation Expiry Date:</b>	
<b>Valid Date:</b>	23-Aug-2021	<b>Statutory Expiry Date:</b>	<b>04-Oct-2021</b>
<b>Date of Site Visit:</b>	25-Aug-2021	<b>Extension of Time Date:</b>	
<b>Objections received?</b>			
<b>5 day notification record:</b>			
<b>Councillors notified</b>	<b>Date</b>	<b>Response received – date</b>	<b>Ok to continue</b>
<b>Recommendation</b>	GRANT consent for the proposed works.		
<b>Report by:</b>	Peter Udy		
<b>Date:</b>	20-Sept-2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The site is part of a small group of dwellings. This and the neighbouring dwelling are built in the former curtilage of 'The Grange' and the trees are protected by a TPO as a result of their development.

### DETAILS OF PROPOSAL:

It is proposed to fell two Ash and reduce the size of a Sycamore. All three trees are part of Group 1 of the order.

### RELEVANT HISTORY:



B/00/0482 Fell Ash carry out works on one Sycamore and two Ash. Granted.

B/12/0141 Crown reduce two Sycamores and fell an Ash. Granted.

B/14/0051 Fell two Sycamores and an Ash. Refused.

B/17/0047 Two Sycamores reduce crown and fell Ash. Granted.

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

The trees are protected by the Boston Tree Preservation Order No.11 (1989). The provisions of the Government's Planning Practice Guidance are of relevance. The Guidance states "in considering an application, the Local Planning Authority should assess the impact of the proposal on the amenity of the area and whether the proposal is justified, having regard to the reasons and additional information put forward in support of it. The Authority must be clear about what work it will allow and any associated conditions."

### **CONSULTATION RESPONSES:**

No consultation responses have been received.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

No third party representations have been received.

### **EVALUATION:**

The two Ash trees have been significantly cut and the records do not show permission. The only application registered that includes works to the two Ash is B/00/0482. This is 21 years ago and the trees have been cut much more recently than that. There is a large wooden building near to the trees that is quite new and so the surgery may have been carried out at the time it was built. However, that is shown on the map base so may have been there some time.

A visit was made before the application was submitted and the surgeon did suggest there were signs of Ash Die back.

The trees are shown in the photos below and in the submitted details.



As they may have Ash Die Back it is considered best for the area to replace the two Ash with three trees of a different species.

Surgery to the Sycamore is acceptable. There are trees towards the front of the site and from outside the site the trees are still dominant. Therefore, reducing the sycamore is not going to impact on local amenity.



**RECOMMENDATION:**

GRANT consent for the proposed works.

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1	Within one year of the removal of T1 and T2 (Ash), details which includes species and

	<p>location of three replacement trees (as indicated on the application form) of at least 45 litre containerised stock shall be submitted to, approved in writing by the Local Planning Authority and planted in the front garden.</p> <p>If within a period of five years from the date of planting, the tree is removed, uprooted or dies another tree of the same size and species shall be planted at the same place, unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Reason: To ensure satisfactory replacements for the trees which are to be removed.</p>
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<b>INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE</b>	
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>	