

Development Management Delegated Decision Report

B/21/0418



SUMMARY OF APPLICATION			
Application Reference	B/21/0418		
Application Type	Notification to carry out works on trees		
Proposal	Application under s211 for works to trees within a conservation area to include: T1 - Sycamore - Remove Overhanging Branches T2 - Lime - Light Maintenance to Branches T3 - Lime - Light Maintenance to Branches		
Location	49, Witham Bank West, Boston, Lincolnshire, PE21 8PT		
Applicant	Mrs Katie Rodgers, Longhurst Group		
Agent			
Received Date:	08-Sep-2021	Consultation Expiry Date:	
Valid Date:	20-Sep-2021	Statutory Expiry Date:	01-Nov-2021
Date of Site Visit:	24-Sept-2021	Extension of Time Date:	
Objections received?	N/A		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Do not make a Tree Preservation Order		
Report by:	Peter Udy		
Date:	24-Sept-2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

One of the trees is in the front garden of number 49 Witham Bank West. One is close to the south eastern corner of the dwelling at number 49 Witham Bank West, but is in the grounds of number 48 Witham Bank West and the other tree is in the grounds of number 50 Witham Bank West close to the boundary with number 49. They are part of a line of trees in the properties that front onto the river and on the bank of the river.

DETAILS OF PROPOSAL:

It is intended to prune all three trees.

RELEVANT HISTORY:



B/09/0019 reduce overhanging branches of two lime trees Granted. 49 Witham Bank West.

B/09/0044 reduce overhanging branches of Lime and Sycamore tree. Granted. 48 Witham Bank West.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The trees are 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:

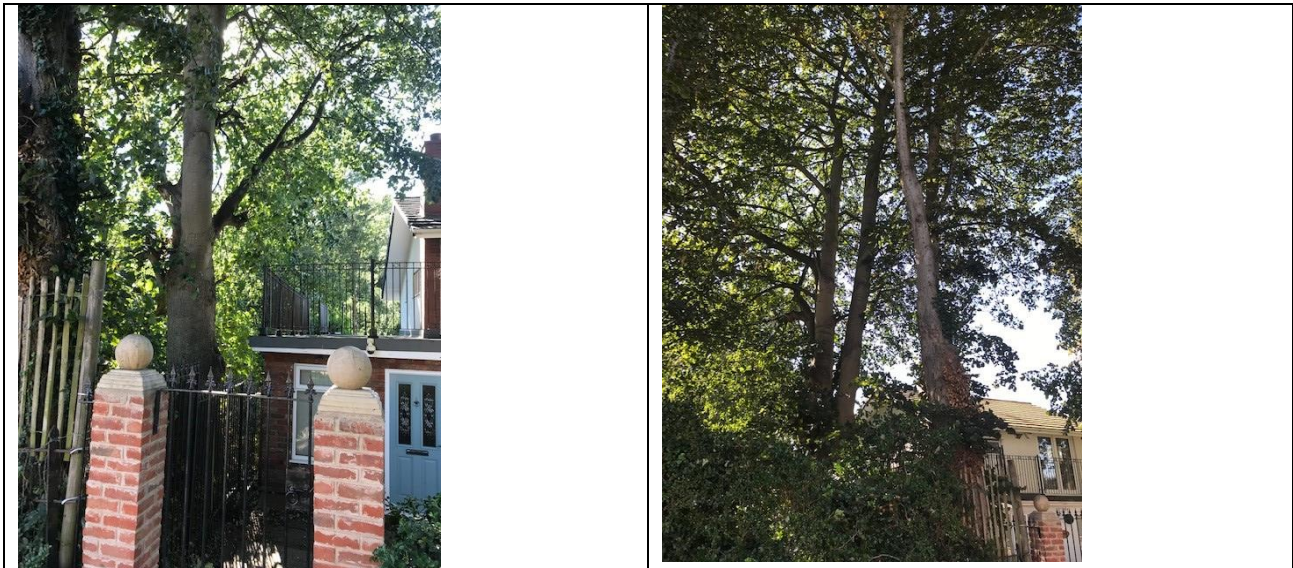
The map provided for this application indicates a tree is near the dwelling at number 49 Witham Bank West and in the grounds of number 48.

The left photograph below shows the tree is close to the dwelling and overhangs the balcony. It also is growing towards the roof. The photograph on the right shows it as the tree to the rear and has two vertical branches.

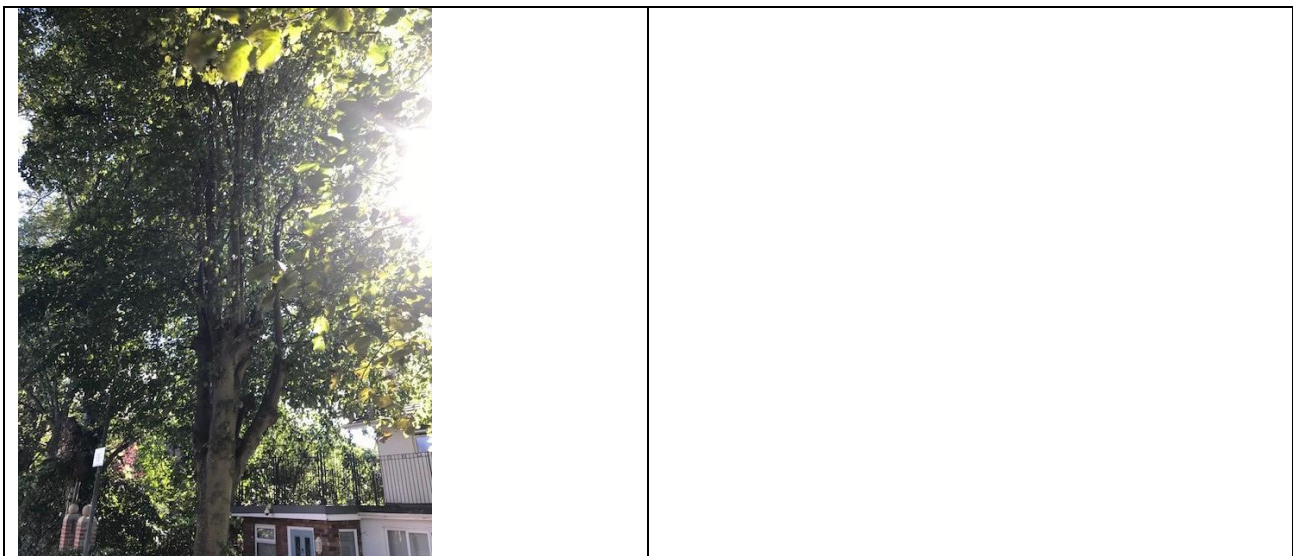
The application B/09/0044 is located on the curtilage of Number 48 Witham Bank West. The plan submitted with that application showed a Sycamore tree close to 49 Witham Bank West.

This application did not initially identify the species of this tree but the site visit confirmed it is a Sycamore.

Although it has been subject to an application in the past for tree work previous lopping is not obvious. However, the proposed work is reasonable.



The submitted drawing shows another initially unnamed tree in front of number 49. It is the tree shown in the photograph below.



The application B/09/0019 shows two trees within the boundary of Number 49 Witham Bank West in the front garden. One is in the centre and the other is close to the boundary with number 50. Both are Limes.

The site visit confirms this is a Lime tree and it is clear that it has been lopped in the past as the trunk is sprouting a number of thinner vertical branches. Once a tree has been lopped the point of regrowth is a weak point and therefore the tree should be maintained so that it is safe. The proposed work is reasonable.

The final tree is shown below. It is the left one in the left photograph and the right one in the right photograph. Again this application did not initially name its species. It is a Lime and as mentioned above was the subject of application B/09/0019 although that application indicated it was located in the grounds of number 49 Witham Bank West.

The work is reasonable.



RECOMMENDATION:

Do not make a Tree Preservation Order

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

STATEMENT OF PROACTIVE WORKING:

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.