

**DEVELOPMENT DIVISION**

**PLANNING COMMITTEE**

**FOR DECISION**

**Book 2**

**4th February 2014**

Ladies and Gentlemen,

The plans in this report have been submitted for approval under the Town and Country Planning Acts.

All County Council Matters are “Delegated” to the Committee for comment and cannot be moved “Non-Delegated” (Minute No. 244, 20<sup>th</sup> July, 1992).

All other applications in this report are also “Delegated” but can be moved “Non-Delegated” by a Member of the Committee under the terms adopted for the Scheme of Delegation approved by Council, 16<sup>th</sup> May, 1994. Any such motion needs to be accepted by a majority of Members of the Committee present (Council, 8<sup>th</sup> August, 1995). All applications left as delegated will be decided by the Committee and will not be subject to confirmation by Council.

The application plan numbers also refer to files for the purposes of background papers.

*Jason Hipkiss*

**Planning Manager**

# PLANNING COMMITTEE

## 4<sup>th</sup> February 2014

<b>PLAN NUMBER:</b>	<b>APPLICANT:</b>	<b>AGENT:</b>
2013/0797	Mr Hambling	BHA Trees Ltd
<b>WARD/PARISH:</b>	<b>CASE OFFICER:</b>	<b>DATE RECEIVED:</b>
Walney North	Charles Wilton 01229 876553	04/12/2013
		<b>STATUTORY DATE:</b> 28/01/2014
<b>LOCATION:</b>	46, North Scale Barrow-in-Furness	
<b>PROPOSAL:</b>	Reduce crown by 10% involving a maximum branch reduction of 750mm and a crown thin of between 10-15% of Oak tree (T1) subject of Tree Preservation Order 2009 no.6	
<b>SAVED POLICIES OF THE LOCAL PLAN:</b>	The local plan contains no policies specific to tree applications.	

The local plan contains no policies specific to tree applications.

### SUMMARY OF MAIN ISSUES:

Application is for a modest amount of work though further clarification is sought.

### NON MATERIAL CONSIDERATIONS:

### REPRESENTATIONS:

Development advertised on site.

The Occupiers of 30, 32, 40, 48 North Scale informed. No representations received.

### CONSULTATIONS:

### OFFICERS REPORT:

This application relates to one of two matters recently placed before the Council. The first concerned a notice served under section 211 of the Act with respect to the felling of a horse chestnut tree. This relates to the procedure to be followed in relation to trees situated within a conservation area. The Council responded by authorising a preservation order at the 07/01/14 meeting (minute 361 refers) and which was served on the 14/01/2014.

# PLANNING COMMITTEE

4<sup>th</sup> February 2014

The second matter relates to an application to carry out works to another tree, an oak, situated within the same site and which was also viewed during the member site visit held before your previous meeting. The oak, unlike the horse chestnut was already subject of a tree preservation order.

The proposed work comprises a 10% crown reduction involving a maximum branch length reduction of 75cm. The justification provided for this work is that it will improve the tree's shape. As noted on the member site visit the tree has been shaped by the prevailing wind such that its crown has a bias in the direction of Walney Channel. I have queried with the agent whether the reduction is intended to (partly) address this bias rather than a general reduction. I have asked for clarification in time for your meeting.

The second element concerns a 10-15% crown thin with the intention of reducing shading to garden area. This represents a relatively modest thin which should not impact upon the tree's vitality or shape. As a consequence the proposed works should not impact upon the amenity benefits of the tree including its contribution to the character of the conservation area.

---

## RECOMMENDATION:

I recommend that consent be granted subject to

1. This consent is limited to a period of two years which expires on the 04/02/2016 after which no work authorised by this consent shall be carried out unless a further application has been submitted to and approved in writing by the planning authority.

### Reason

Required to be imposed by the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

2. The works for which consent is granted may only be carried out once.

### Reason

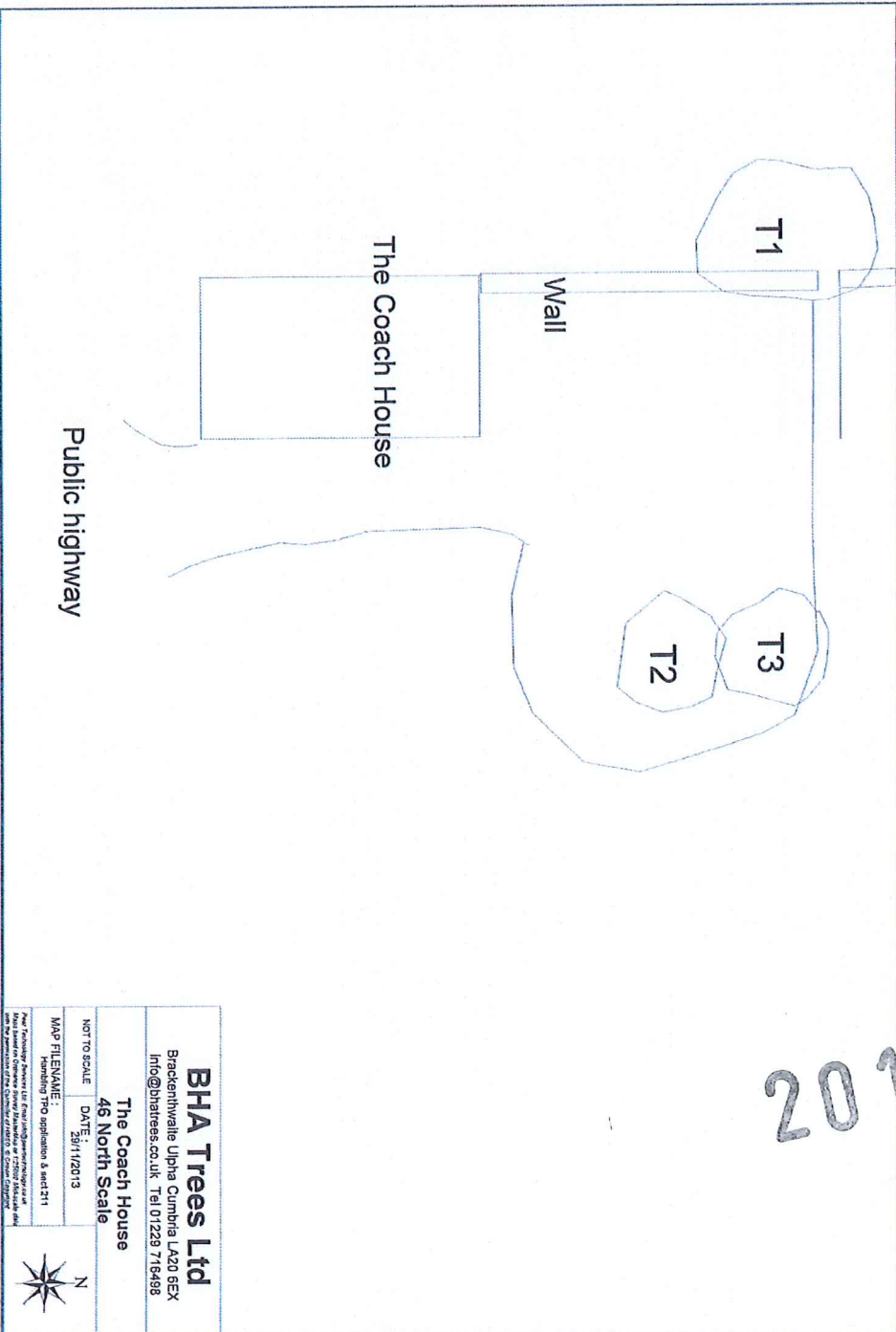
Required to be imposed by the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

3. The works hereby approved shall only be carried out in accordance with the application dated 4/12/2013 and BS 3998:2010.

### Reason

To ensure the work is only carried out as approved and to an appropriate standard.

2013/079



**BHA Trees Ltd**  
Brackentwalle Uplia Cumbria LA20 6EX  
Info@bhatrees.co.uk Tel 01229 716498

**The Coach House**  
46 North Scale

NOT TO SCALE  
DATE: 28/11/2013

MAP FILENAME :  
Handling TPO application 5 and 211



From Technology Services Ltd for use in the planning process  
Map based on Ordnance Survey data and/or © Crown Copyright  
and the permission of the Controller of Her Majesty's Stationery Office



2013/0797