

BOROUGH OF BARROW-IN-FURNESS

PLANNING COMMITTEE

Special Meeting, Tuesday 28th June, 2016
at 2.30 p.m. (No.4 Committee Room)

A G E N D A

Site Visits

6a Market Place, Dalton-in-Furness

Depart Town Hall Courtyard at **1.00 p.m.**

PART ONE

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.

3. **Admission of Public and Press**

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

4. **Declarations of Interest**

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

5. Apologies for Absence/Attendance of Substitute Members.

FOR DECISION

- (D) 6. Planning Applications (booklet attached).

- (D) 7. Proposed Tree Preservation Order 2016 No 1 land situated between Hollygate Road and Hayeswater Drive, Dalton-in-Furness.

**NOTE (D) – Delegated
(R) – For Referral to Council**

INVITATIONS TO SPEAK TO THE COMMITTEE (2.30 p.m.)

Membership of Committee

Councillors

M. A. Thomson (Chairman)
C. Thomson (Vice-Chairman)
Blezard
Derbyshire
Gawne
Husband
McEwan
McLeavy
Murphy
Murray
Seward
Thurlow

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Published: 20th June, 2016

PLANNING COMMITTEE		Part One (D) Agenda Item 7
Date of Meeting:	28th June, 2016	
Reporting Officer:	Planning Manager	
<p>Title: Proposed Tree Preservation Order 2016 no 1 land situated between Hollygate Road and Hayeswater Drive, Dalton</p> <p>Summary and Conclusions:</p> <p>Trees which are prominent in the public views of the area are threatened due to the close proximity of parts of the proposed housing development.</p> <p>Recommendations:</p> <p>That a tree preservation order be served based upon the plan attached to this report as Appendix A and the schedule below</p>		

Report

A planning application has been received for the erection of 14 houses on land off Hayeswater Drive under ref 2016/0126. The site lies in close proximity to the Dalton Railway tunnel and extends eastwards towards Hollygate Road and the rear of properties situated in Olive Close. Towards its eastern limits is a wooded area which is important to the visual amenities of the area. This wooded area occupies a steeply sloping bank which slopes downwards from the application site. The layout of the proposed development is attached as **Appendix B**

The top of the bank is defined by a wire fence. Houses are shown to extend close to this fence with houses on two of the plots (9&10) extending beyond it. The house on plot 10 is shown to project quite significantly beyond the top edge of the wooded bank. The effect of this is that trees are likely to be threatened by works to re profile the bank together with pressure from future occupiers given the close proximity of houses to trees.

The trees closest to the edge have been surveyed as part of an arborical report which accompanies the planning application. The proposed order is limited to these trees as it is these trees which are at risk. Also, only trees which have been identified as good or average structural condition have been included.

In addition to the visual importance of the tree which as a group are visible from some distance the wooded area also has ecological value as commented in the Extended Phase One Habitat Survey which also accompanies the application. I have reproduced an extract from it below:

“3.2.2 Habitat descriptions

A1.1.1 Semi-natural broadleaved woodland. A small dense area of woodland covers the north-east corner of the site. The area is on a steep bank either side of the railway line, and is outside of the proposed development footprint.

The woodland is dominated by ash Fraxinus excelsior with cherry Prunus sp, hawthorn Crataegus monogyna, willow Salix sp, elder Sambucus nigra, holly Ilex aquilinum and oak Quercus sp. Many of the trunks had a dense covering of ivy Hedera helix. The ground flora was dominated by bramble Rubus fruticosus at the top of the bank near the development area. On the lower and flatter areas ramsons Allium ursinum was locally abundant, with small areas of violets Viola sp and celandine Ranunculus ficaria.

Due to the density of the ground vegetation and the lack of access to the site, the area is quite undisturbed. There has been no management of the area, and as such are some good areas of standing and fallen deadwood. There is an area to the west where there has been some dumping of rubble and other waste from the main site.

Several bird species were observed, some of which were displaying some territorial behaviour. This woodland area is of significant local ecological interest, providing good potential habitat for invertebrates, birds and small mammals (including bats). The area has potential to support badger due to the undisturbed nature of the woodland, but no sign of badger activity was seen.”

I have produced a schedule of trees below which relates to the two groups identified for protection

G1 Group of 11 ash and 1 hawthorn

G2 Group of 1 ash and 1 hawthorn

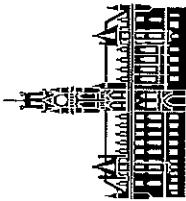
It is common practice for trees to be assessed using standard method known as TEMPO. Attached as **Appendix C** is the TEMPO assessment and score which shows the trees score adequate points to warrant preservation order status.

It should be noted that planning permission was granted in 2005 for a larger scheme which would have placed significantly more trees at risk than the current proposal. However this scheme can no longer be implemented, having been quashed in 2007.

Background Papers

Nil

APPENDIX No. A



**BOROUGH OF
BARROW IN
FURNESS**

Scale : 1:1250

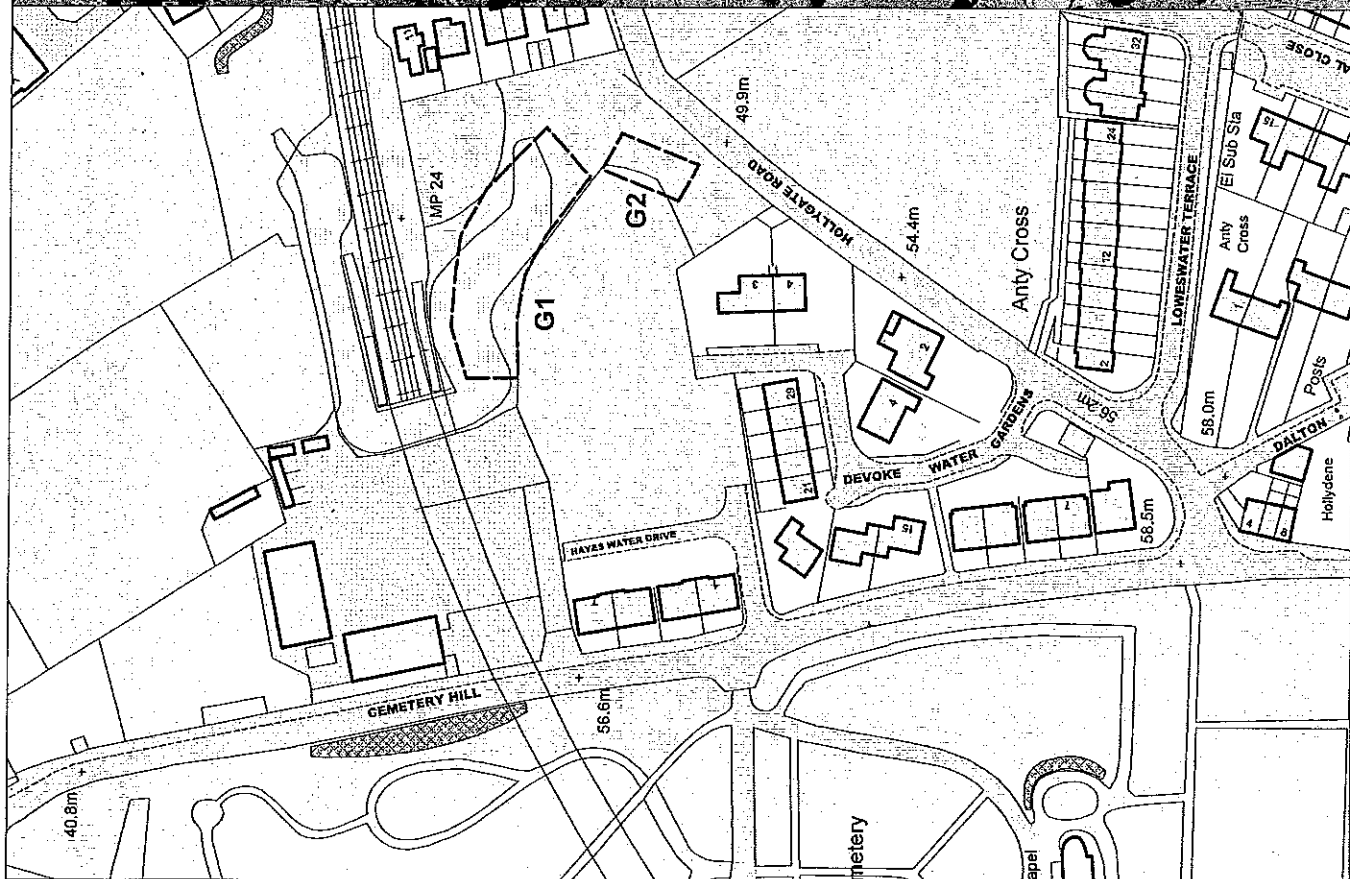
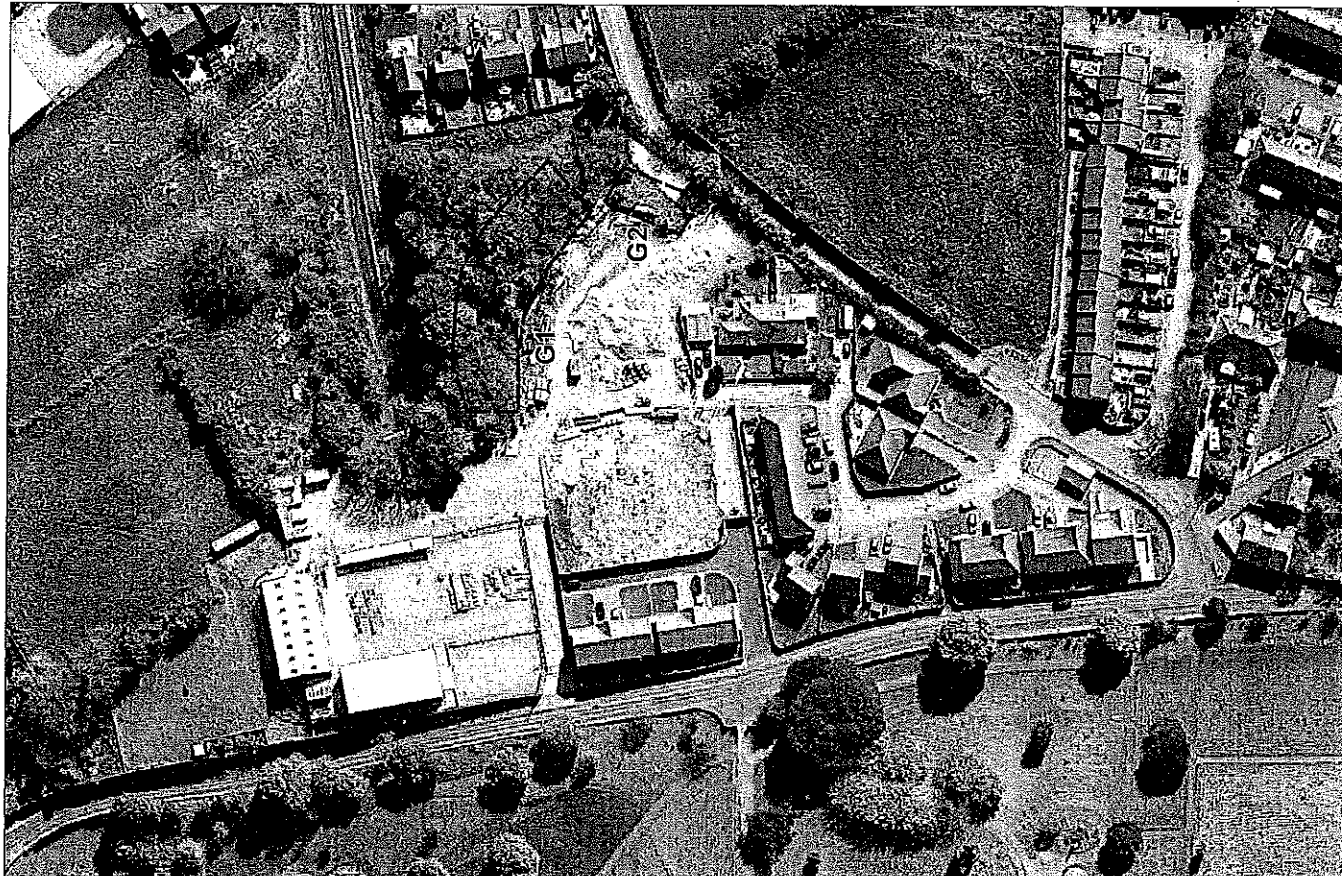
Grid : None



Produced on : 08/12/2014

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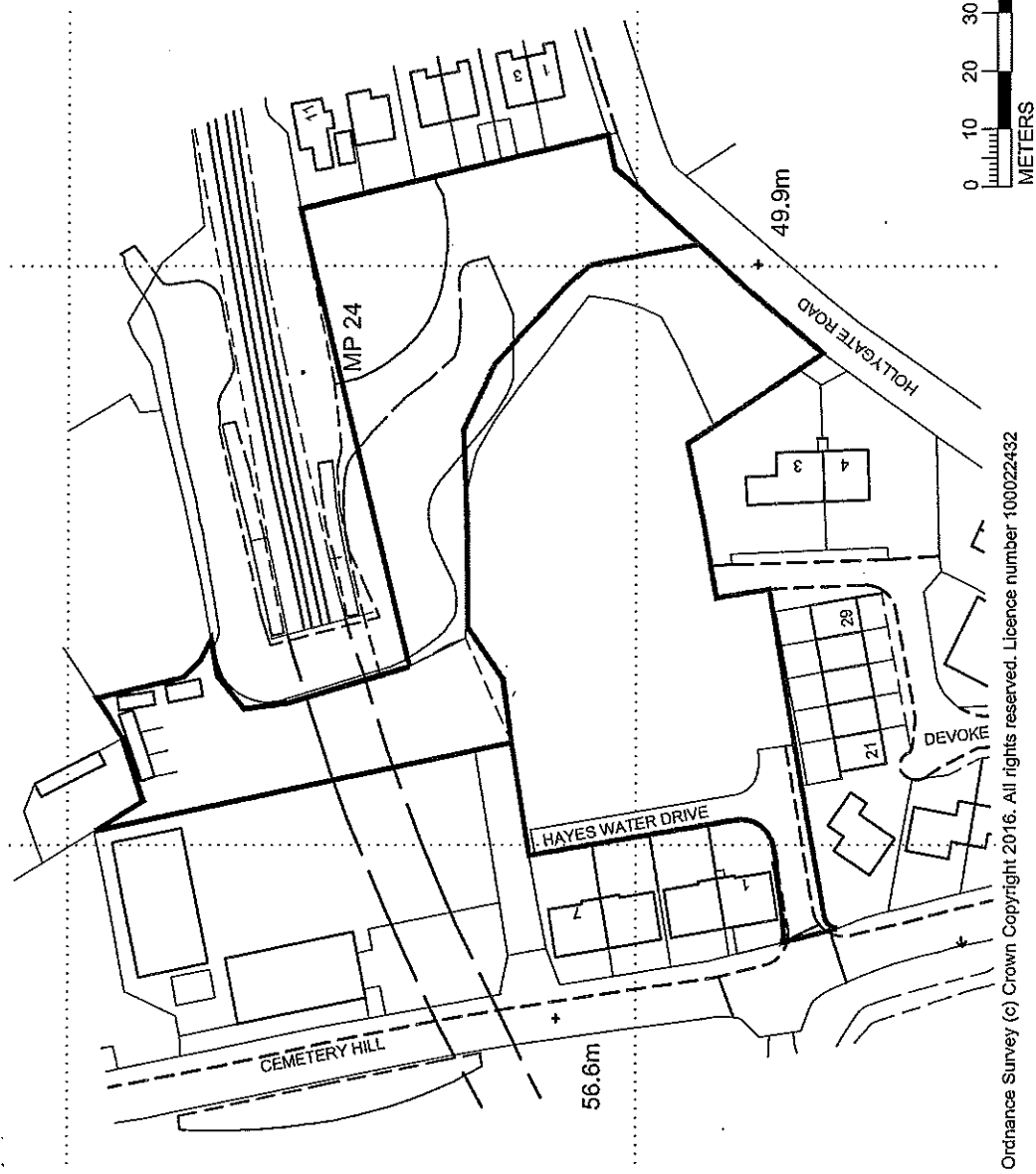
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Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.

All heights, levels, sizes and dimensions to be checked on site and any discrepancies to be notified prior to any manufacture or commencement of works.



APPENDIX B



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- B 24/05/16 Red line amended
- A 05/05/16 Red line amended

Nb.	Date	Revision
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PLANNING

Project
 Land at Hayeswater Drive
 Dalton-in-Furness

Title
 Residential Development
 Location Plan

Drawn	Checked	Date
TC		27 Jan 2016
Project Ref	Scale	
3286	1:1250 @A4	

Sheet	Revision
LP-001	B

Appendix C



**TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO)
SURVEY DATA SHEET & DECISION GUIDE**

Date: 16/06/2016	Surveyor: C. Wilton
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Tree details: Situated on Land between Hollygate Road and Hayeswater Drive, Dalton-in-Furness	Tree/Group No: Groups 1 & 2	Species: Ash. Hawthorn
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a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

- 5) Good Highly Suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be Suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes
3-4

* relates to existing context and is intended to apply to severe irremediable defects only

b) Remaining longevity (in years) and suitability for TPO:

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0)<10* Unsuitable

Score & Notes
2

* includes trees which are existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility and suitability for TPO:

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Small trees, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes
4

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (incl. those of indifferent form)

Score & Notes
3-4

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes
5

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not Merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add scores for Total:
17-19

Decision:

