

NORTH AREA COMMITTEE MEETING – 19th March 2009

Pre-Committee Amendment Sheet

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: 1 APPLICATION REF: 09/0015/FUL

Location: 82 - 84 Victoria Road

Target Date: 06.03.2009

To Note: No further details.

Amendments To Text: None.

Pre-Committee Amendments to Recommendation: None.

DECISION:

CIRCULATION: First

ITEM: 2 APPLICATION REF: 09/0030/FUL

Location: 9 And 11 And Land R/O 9-15 Green Park

Target Date: 11.03.2009

To Note: This application has been considered with respect to policy 3/10, because although it is proposed that Nos. 9 and 11 Green Park be demolished, the application site also includes a large part of what was formerly the rear garden of No. 15, and therefore involves the subdivision of that former curtilage.

Amendments To Text: Insert additional paragraph after 8.10:

External spaces

External amenity space for the proposed dwellings would be on the following basis (dimensions are in m² and approximate):

| | Garden | Roof terrace | Shared amenity space |
|--------|--------|--------------|----------------------|
| Houses | | | |

| | | | |
|--------|----|----|----|
| Unit 1 | 32 | 15 | |
| Unit 2 | 32 | | |
| Unit 3 | 48 | 19 | |
| Unit 4 | 15 | 19 | |
| Unit 5 | 17 | 19 | |
| Unit 6 | 22 | 19 | |
| Flats | | | |
| Unit 7 | 12 | | 57 |
| Unit 8 | | | 57 |

These spaces are limited, especially by comparison with the spacious gardens enjoyed by many nearby properties. Nevertheless, all the houses would have usable outdoor space with considerable sunshine, and a reasonable degree of privacy. Space for the flats would be very limited, but even their occupants would have an opportunity to sit outside in good weather. Given the small size of the units, the external amenity space is in my view satisfactory, and in accordance with the relevant sections of policies 3/7, 3/10 and 3/12 of the Cambridge Local Plan (2006).

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: 3 APPLICATION REF: 08/1707/FUL

Location: 208 Green End Road

Target Date: 16.02.2009

To Note: None

Amendments To Text:

To replace paragraphs 6.3 and 6.4

Natural England

No objection, subject to the imposition of conditions relating to a mitigation strategy to prevent killing/injury of common lizards, timetabling of removing vegetation outside the bird nesting season, and the inspection of the willow tree to the front of the site.

Addition to paragraph 6.7:

The full comments received from the City Council's Arboricultural Officer are attached to the Amendment Sheet as appendices 1 and 2.

To replace paragraph 8.20:

All UK bats and their roosts are protected by law, and it is a criminal offence to deliberately capture, injure or kill a bat; intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats; or damage or destroy a bat roosting place. The Biodiversity Survey Report submitted as part of the application indicates that the existing building and some trees within the site have the potential to support roosting bats and goes on to recommend that further surveys be undertaken.

A further bat survey has now been carried out, which concludes that there is no evidence to suggest that bats are currently roosting in the building or have roosted there in the past. It is recommended that contractors working on the site should be made aware of the legal status of bats and their roosts and should check for bats. All work should be carried out with an appropriate level of care to ensure that any bats found are not killed or injured. If any bat is found, it should be left undisturbed and work should be suspended while advice is sought from Natural England. This can be secured via a condition.

The willow tree at the entrance to the site (which is dead and is to be removed) has the potential to support roosting bats. In the submitted survey it is recommended that a detailed inspection be carried out of this tree to determine whether bats are present. If bats are present a mitigation plan would be necessary. This can be secured by condition.

To replace paragraph 8.25

The Local Highway Authority is satisfied that the proposal would not impact on highway safety. A minimum width accessway of 5m must be provided extended at least 10m from the street into the site. This has been provided.

To replace paragraph 8.26

The application of Appendix C (Car Parking Standards) of the Cambridge Local Plan (2006) allows for a maximum of 8 car parking spaces to be provided for a development of this scale, in this location. It is proposed that four car parking spaces are provided. This is within the standards and is therefore acceptable in principle. In the representations received it has been stated that not enough parking spaces are proposed. The City Council Car Parking Standards are maximums and the aim of policy is to discourage the use of cars where possible. The site is on a bus route, and close to facilities in Chesterton High Street, and therefore I consider it reasonable to allow fewer car parking spaces than the maximum standards allow.

To replace paragraph 9.1:

In my opinion, the proposed development is well designed and respects the character and context of the surrounding area, the unusual shape of the site, and the amenities of neighbouring residents. Therefore, the application is recommended for approval, subject to conditions.

Pre-Committee Amendments to Recommendation:

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until:

- a) A Tree Protection Plan, as defined in BS 5837:2005 "Trees in Relation to Construction – Recommendations", containing the following Arboricultural Method Statements/specifications has first been submitted and agreed to, in writing, by the Council's Principal Arboricultural Officer:
 - Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to, the site, in order to establish Root Protection Areas and construction exclusion zones;
 - Arboricultural method statements for any special engineering operations within Root Protection Areas;
 - Arboricultural method statements for root pruning and root barrier installation; including specifications for root-barrier material; and root-soil back-fill;
 - Arboricultural method statements for the amelioration of the rhizosphere within the Root Protection Areas comprising of de-compaction (Terravention) and soil inoculation with spore derived mycorrhizae and bio-

activators; soil tilthing utilising air-spade technology; irrigation; and mulching where appropriate;

- Arboricultural method statement for any development facilitation pruning. and,

b) that there has been:

- A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Council's delegated Arboricultural Officer.
- All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.
- All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications.

All tree protection barriers and ground protection must be in accord with BS 5837:2005 clause 9 - "The construction exclusion zone: barriers and ground protection"

The developer shall appoint a competent arboriculturalist to oversee the project. The arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.

5. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

8. Contractors working on the site should be made aware of the legal status of bats and their roosts and should check for bats. All work should be carried out with an appropriate level of care to ensure that any bats found are not killed or injured. If any bat is found, it should be left undisturbed and work should be suspended while advice is sought from Natural England.

Reason: To protect legally protected species. (Cambridge Local Plan 2006 policy 4/7)

9. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

10. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policy 3/12)

11. Prior to the commencement of clearance works a mitigation strategy to prevent and killing or injury of common lizards shall be agreed in writing with the Local Planning Authority.

Reason: To protect legally protected species. (Cambridge Local Plan 2006 policy 4/7)

12. Any removal of vegetation shall take place outside the bird nesting season.

Reason: To protect legally protected species. (Cambridge Local Plan 2006 policy 4/7)

13. Prior to the felling of the willow tree at the entrance to the site, a further bat survey shall be carried out to determine whether roosting bats are present. If roosting bats are present a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. This would include timing the work to avoid periods of when bats are likely to be present and the creation of replacement roosting facilities for bats within the site.

Reason: To protect legally protected species. (Cambridge Local Plan 2006 policy 4/7)

14. Prior to the first occupation of the development hereby permitted, the rooflight in the southern-facing roof slope, which serves the rear, upper floor room, shall be permanently fixed and obscure glazed.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policy 3/7)

15. Reasons for Approval}

1. This development has been approved subject to conditions and following the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: ENV7;

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8, P9/9 ;

Cambridge Local Plan (2006): 3/4, 3/7, 3/12, 4/4, 4/7;

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

DECISION:

CIRCULATION: First

ITEM: 4 APPLICATION REF: 08/0765/FUL

Location: 58 De Freville Avenue

Target Date: 23.07.2008

To Note

At Environment Scrutiny Committee on 3 March 2009 the De Freville Conservation Area was formally designated. The application site falls within the new Conservation Area which should be regarded as a material consideration in the determination of the application.

Guidance provided by PPG 15 Planning and the Historic Environment, Policy ENV 6 of the East of England Plan 2008 and policy 4/11 of the Cambridge Local Plan 2006 are now of relevance to the determination of the application.

The designation of the Conservation Area does not affect my recommendation of refusal.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: 5 APPLICATION REF: 09/0049/FUL

Location: St Leonards, East Hertford Street

Target Date: 01.04.2009

To Note: The deadline for representations on this application has now passed, and none have been received. The application has therefore been **removed from this agenda**, and will be **determined under delegated powers**.

Amendments To Text:

Add after Paragraph 6.2:

Historic Environment Manager

No objection. Additional condition recommended on joinery and window reveals.

Add at end of paragraph 8.4:

I concur with the conservation advice regarding joinery and window reveals, but I consider that these matters are already controlled by Conditions 13 and 14 attached to the outline permission, and do not require the addition of a further condition.

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: 6 APPLICATION REF: 09/0096/FUL

Location: 56 Frenchs Road

Target Date: 01.04.2009

To Note: No further details.

Amendments To Text: None.

Pre-Committee Amendments to Recommendation: None.

DECISION:

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ARBORICULTURE CONSULTATION

| | | | |
|---------------------|---------------------------|------------------|----------------------|
| To: | Catherine Linford | Section: | Development Control |
| Building: | Guildhall | Floor | Second |
| From: | Diana Oviatt-Ham | Section: | Arboriculture |
| Phone: | X 7145 | Location: | Third Floor :Room 11 |
| Date: | 11 January 2009 | | |
| Site: | 208 Green End Road | | |
| Description: | 5 terraced houses | | |
| File Ref | 08/1707/FUL | | |

Plan Nos:

Comments:

I have been involved in pre-application discussions on the site.

The site is the subject of a Tree Preservation Order; the trees were protected to prevent the site being cleared pending a planning application. It is important to have trees on this plot, particularly on the road frontage and as a screen for adjacent properties. The Tree Preservation Order has sought to secure adequate and suitably placed new planting.

The site has been neglected for many years and is overgrown. It contains a number of trees – fruit and ornamental trees that were planted for the garden and several mature trees which were probably self sets and young trees when the bungalow was built which were allowed to develop into large mature trees as the owner obviously enjoyed a bosky setting.

The trees have been surveyed and assessed and guidance has been sought as to how the plot could be developed retaining the best and most appropriate specimens and how those to be removed could be adequately and suitably replaced. It will be necessary to take care developing the site and measures will need to be undertaken to ensure the trees to be retained are adequately protected during the site clearance and construction period.

Several mature trees are to be removed from the plot. These are clearly visible from the surrounding area and are important features on the skyline. However, they are being removed either because of their poor condition, or their unsuitability to such a development, or they are not of a quality to constrain development. The willow on the frontage is dead. The row of 9 leylandii formed a screen to the property from the street and edged the drive,

but they have little merit as trees or a landscape feature. There is a stand of four mature ash trees, of which three are within the property. Of these, one is a better specimen with a mature and balanced crown. Its' neighbours have been constricted by each other and their crowns are more elliptical in shape. The better specimen is closer to the road and adjacent to the tree in the neighbouring property, together they form a feature and presence which is obvious from the public highway and surrounding area with the added benefit of retaining a screen and privacy for the neighbouring property. The loss of the other two ash is regretted but their retention would have made development almost impossible. New planting on the frontage will compensate for their removal. The most prominent tree on the site is a Lombardy poplar in the north corner. This tree is 30m tall. There is another young tree adjacent. The Lombardy has been topped out once and if retained this surgery should be repeated on a regular basis. However, since poplar is quick growing tree its timber strength is reduced and the decay often sets in at the pruning points and spreads quickly making further reductions necessary. With surgery the tree could be expected to live for 20-40 years. The tree is close to terraced housing and residents are concerned by the height and stability of the tree. It would be more expedient to remove the tree and its younger sibling at this point and plant suitable replacements which would benefit the adjacent residents and those in the new properties. Those that would be disadvantaged view the tree from a distance, either the street or surrounding properties, as the tree is such a feature on the skyline. If the tree were to be retained its impact would be less dominant as it would need to be topped on a regular basis. Two sycamores in the rear garden are to be removed. They have spreading canopies and shade the area; their seeds set prolifically in neighbouring gardens. These trees are not significant to the wider public and their removal will allow existing and future residents to enjoy southerly back gardens to their full potential.

10 of the existing trees are to be retained. These are for the most part fruit and ornamental trees within the gardens and a hawthorn hedge in the rear garden on the boundary to Enniskillen. Of the more dominant trees to be retained are an ash and silver birch on the northern boundary, these will provide height and maturity to this part of the site. On the frontage only one ash tree, being the best in the group of several, and a laburnum, are to be retained. The trees identified for retention are entirely appropriate for the space and will add maturity to the gardens and help assimilate the new buildings within the area. New planting will enhance the gardens, it takes its inspiration from the existing planting and so a specimen that will mature into a significant tree is to be planted on the frontage and the gardens are to receive ornamental flowering and fruit trees.

The aspects of the development that concern me are the hard surfacing under the ash trees and the southern hall etc. projection.

The hard surfacing under the trees must be of a no-dig porous construction to allow air and water to the roots and to prevent root damage during construction. Since this is likely to be the contractors compound area details of tree protection and site logistics must be provided.

The projection appears to be within the existing canopy of the tree. I would like to see a sketch of the relationship of the building to the tree and details of the foundations. I am seriously concerned by this element as it may have an adverse effect upon the health of a tree whose retention is important.

If you were minded to approve the application the following condition should apply.

Suggested condition:

1. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until:
 - a) A Tree Protection Plan, as defined in BS 5837:2005 "Trees in Relation to Construction – Recommendations", containing the following Arboricultural Method Statements/specifications has first been submitted and agreed to, in writing, by the Council's Principal Arboricultural Officer:
 - Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to, the site, in order to establish Root Protection Areas and construction exclusion zones;
 - Arboricultural method statements for any special engineering operations within Root Protection Areas;
 - Arboricultural method statements for root pruning and root barrier installation; including specifications for root-barrier material; and root-soil back-fill;
 - Arboricultural method statements for the amelioration of the rhizosphere within the Root Protection Areas comprising of de-compaction (Terravention) and soil inoculation with spore derived mycorrhizae and bio-activators; soil tilthing utilising air-spade technology; irrigation; and mulching where appropriate;
 - Arboricultural method statement for any development facilitation pruning.
 - and,
 - b) that there has been:
 - A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Council's delegated Arboricultural Officer.
 - All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.
 - All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications.

All tree protection barriers and ground protection must be in accord with BS 5837:2005 clause 9 - "The construction exclusion zone: barriers and ground protection"

The developer shall appoint a competent arboriculturalist to oversee the project. The arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.

ARBORICULTURE CONSULTATION

To: Catherine Linford **Section:** Development Control

Building: Guildhall **Floor:** Second

From: Diana Oviatt-Ham **Section:** Arboriculture

Phone: X 7145 **Location:** Third Floor :Room 11

Date: 3 March 2009

Site: 208 Green End Road

Description: development

File Ref 08/1707/FUL

Plan Nos:

Comments:

I thought it might be helpful to expand my comments on the trees.

Front garden

The **willow tree (T21)** is 12m tall with a crown radius of 3-4m. It grows centrally to the front of the site behind a low brick wall. This position makes it prominent in the street scene as you approach the site from both directions. It was pollarded a few years ago and has not recovered, so that it is now dead. The tree should not constrain the development of the site. I would welcome the planting of a new tree nearby of a species that would create a presence to the street and bring pleasure to the residents of any new development.

The **9 Leylandii (T17)** grow as a hedgerow, planted to edge the drive. The trees have not been trimmed or clipped into a hedge, rather they present individuals closely planted. They are 13m tall with a crown radius of 1-3m. They were planted as a screen for the bungalow from the road and to provide privacy. The first tree is positioned behind the willow tree and 8m into the site. It is a prominent feature in the street scene by virtue of its size, mass and evergreen nature. As the drive slopes away from the road the significance of the trees also diminishes. Those closest to the street provide an evergreen element and diversity to the deciduous planting. Such trees are commonly planted in residential areas to provide a screen and privacy throughout the year. As they are relatively quick growing this is achieved within a few years. The trees do provide an effective visual barrier for the activity associated with the road when in the site, and muffle the sound of traffic, but they are somewhat overpowering and reduce light levels from the south.

The trees should not constrain the development of the site. They were planted with a particular function in mind by the occupier of the bungalow, any development of the site will seek to plant a landscape that relates to the new build, the adjoining properties and the street. These trees are unlikely to enhance such a planting design.

The **ash trees** grow to the south and east of the leylandii. They appear on the drawings as **T15, T18 and T19**. They are mature examples of ash trees and are probably self-sets from an older tree in the vicinity. The trees have grown as a group and have influenced and constrained the development of each other. The trees have not been managed for several years, ivy growing on the ground as cover planting has spread up the trunks of all three trees and is beginning to invade the upper canopies. Its density and vigour may obscure or conceal structural defects, old pruning wounds or cavities in the trees. This makes it difficult to evaluate the condition of the trees accurately.

Ash T19 is closest to the road. It is 15m tall and has a relatively high crown, which has a 4 - 6m radius. It benefits from the southern light and higher ground. The positions of the willow and three other ash trees in this garden and next door (228) have ensured that its overall growth is relatively uniform as they are not too close and encircle the tree. There is some deadwood in the lower canopy where branches have been shaded and died back naturally.

Ash T 18 is the northern most of the group of ash trees and grows close to the existing access drive. It is 12m tall with a high canopy. The tree grows at a distinct lean towards the north; there is no indication that the tree is unstable, this growth pattern is attributable to its search for light in order to grow and prosper, which is away from the adjacent trees and competition. The crown has grown unevenly as it has been constrained to the west by the line of Leyland cypress trees and the ash T19, and to the east by ash tree T15. Consequently, the canopy is elliptical in plan, and in outline it appears unbalanced. The lowest branches have suffered some die back due to competition and lack of light.

Ash T 15 is the easternmost of the group of trees; it is taller and the canopy broader than the other two trees. It grows beside the drive, at its conclusion near the property. The tree has a noticeable lean because it has grown phototropically; there is no indication that the root plate is unstable. It sits on the eastern edge of the group, the adjacent trees are to the west have constrained the canopy so that it is also elliptical in plan, but the availability of light and space to the east and the slightly better growing conditions at the bottom of the slope within the cultivated garden, have enabled it to spread more extensively than its neighbours. The overall appearance is of an etiolated plant with an unbalanced crown.

The trees have grown as a group. When viewed from the opposite side of the road, or from the south, the canopy of T19 is the most obvious and prominent. The contribution of the other two trees is more in depth, bulk and mass as they strengthen and support visual presence and substance. However, when viewed from Scotland Road corner the trees stand out clearly as a group of

three trees closely planted together. From this vantage point it is clear that the canopies are high and visually important. They make a welcome and significant contribution to the landscape.

The size, position and amenity value of these three ash trees could influence the development of the site. BS 5837:2005 Trees in relation to construction - Recommendations requires that the effect of trees on development and development on trees be carefully assessed and considered. Certain trees are of such importance and sensitivity as to prevent development occurring or to substantially modify its design and layout. Prior to designing the layout of a development, it recommends that a tree survey should be carried out and the trees should be assessed and classified for their quality and value within their existing context.

These are mature trees, they have grown as a group and their significance is collective, although the tree closest to the road (T19) can be seen as an individual when viewed nearby. They have the potential to live for another 40 years if their canopies are managed.

The trees could be retained as a group. This would require the use of certain construction techniques such as an access road of a 'No dig' construction. The development would need to be outside the influence of the trees in terms of light and their Root Protection Area. This would place any development well into the site. If trees are to place such requirements and constraints on the use of the site, they must be of a quality and condition to justify such material considerations.

As with many ash trees at maturity these trees are developing a significant amount of weight at the ends of the branches. Each year the branches extend further, but the inner branches die back due to loss of light consequently, the canopies are beginning to develop a profile that resembles, and is known as, a lion's tail. Within the next decade the trees will require reduction of the canopies to alleviate the risk of failure. Once the canopies have been cut back the impact of the trees on the street scene and their amenity value will be reduced. The impact upon the two inner trees may be such that their public contribution is diminished to the point where the Tree Preservation Order protection could be challenged.

The two trees closest to any proposed development have uneven and unbalanced canopies and a concentration of weight on the end of the branches. As the trees continue to grow the development of weight at the end of the branches will increase at the same time as the inner crown dies out through loss of light. At some point, unless the canopies are reduced, the branches will fail mid length. The canopies are uneven and unbalanced so the tree will need to be pruned back to a point where new shoots will form and the subsequent growth will develop to create a stable and uniform crown. Reduction that leaves the crown unstable will result in failure in stormy or gusty winds. Once carried out this work will need to be repeated on a frequent basis in order to maintain the tree in a healthy and safe condition. In addition, these two trees have a noticeable lean. Although there are no apparent features which indicate the trees are going to fail, residents are

frequently concerned that trees growing with a lean towards their dwelling may fall onto the building. BS 5837:2005 Trees in relation to construction - Recommendations in the section dedicated to the proximity of trees to structures requires that the consideration be given of the anxiety that large trees cause to occupiers of nearby buildings, especially in adverse weather conditions.

The tree closest to the road may not be as adversely affected by any development of the site as it is likely to be more distant from a building and an access. Its canopy is more even and balanced than the other two ash trees so it may not require as significant an overall reduction. Some pruning will be required to counter the development of the end weight, but this can be done more sensitively and with less of an impact upon its overall appearance and amenity value.

The other trees in the front garden comprise of a **laburnum (T16)** and an **elder (T23)**. Neither has amenity value, they are relatively short-lived trees and could be replaced by species more conducive and appropriate to a garden. Therefore, they should not constrain the development of the site.

In the rear garden there are many trees. Most are not visible from the road so have no public amenity value. These include apple and pear trees, a cherry plum, a row of hawthorns, a young birch tree and a Norway spruce. This latter is probably a Christmas tree that was planted out following the festive season. The tree is unlikely to prosper as it requires acid soils and a wetter climate akin to the west coast of Scotland where it is found. There are two sycamore trees

The tree that dominates the skyline is a Lombardy poplar (T5). It is 30m tall and rises as a spire on the skyline. The NHBC, BRE, structural engineers, building inspectors and arboriculturalists, specialising in trees close to buildings, advise that this particular specie has a greater propensity to cause structural damage to buildings than most trees. They are classified as having a high water demand and uptake. Their natural environment is beside rivers and on water meadows. On clay soils, such as here, the seasonal demand for water results in the soil shrinking due to desiccation. In the winter months the balance is almost restored. This variation may result in structural damage to a property and an insurance claim. The neighbour in Enniskillen Road has been advised on the unsuitability of the tree and is very concerned by its height. The tree was reduced several years ago at her request and since then has regained its original height by doubling in size. Poplar is a soft wood and is noted for its propensity to shed limbs, especially at previous pruning points.

This would be a prudent opportunity to fell this tree and the neighbouring young tree. I appreciate this will diminish the skyline and remove a significant feature from the landscape, but it is not expedient to retain a tree of this nature in an urban environment.

There are two sycamore trees (T13 and T14) in the SE corner of the garden, close to the boundary with the adjacent property. These are tall trees, 18m

high with crown radius of 4-6m. They are probably self-sets, from a tree in the vicinity, that have been allowed to grow. Although the trees are tall they are not clearly visible from the street because the garden level is lower than that of the highway. They are best seen from the bend in Green End Road, looking down the access to No. 228, where the upper canopy is visible above the garage. The contribution of these two trees to the public realm is limited. In terms of suitability to a garden in a residential area sycamore is not the most appropriate planting. Generally, the canopy is dense, the large leaves are dark green in colour, this combination can cause dense shade to the area below which limits the range of plants that can be grown. In addition, the samara are blown far and wide and set prolifically. The tree can also suffer from honeydew and scale insects. These insects secrete excess sugars to the area below. A black mould develops on the deposits and dirt also sticks to it, as a result owners often complain of the associated nuisance.

If you were minded to approve the application the following condition should apply.

Suggested condition:

1. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until:
 - a) A Tree Protection Plan, as defined in BS 5837:2005 "Trees in Relation to Construction – Recommendations", containing the following Arboricultural Method Statements/specifications has first been submitted and agreed to, in writing, by the Council's Principal Arboricultural Officer:
 - Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to, the site, in order to establish Root Protection Areas and construction exclusion zones;
 - Arboricultural method statements for any special engineering operations within Root Protection Areas;
 - Arboricultural method statements for root pruning and root barrier installation; including specifications for root-barrier material; and root-soil back-fill;
 - Arboricultural method statement for any development facilitation pruning.
 - and,
 - b) that there has been:
 - A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Council's delegated Arboricultural Officer.
 - All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.
 - All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications.

All tree protection barriers and ground protection must be in accord with BS 5837:2005 clause 9 - "The construction exclusion zone: barriers and ground protection"

The developer shall appoint a competent arboriculturalist to oversee the project. The arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.