



Development Control Committee

6 October 2016

Trees in a Conservation Area Notification

DC/16/1756/TCA

Sea Pictures Gallery, Well House, Well Lane, Clare

Date: 23 August 2016 **Expiry Date:** 4 October 2016

Registered:

Case: Aaron Sands **Recommendation:** No objection be raised

Officer:

Parish: Clare **Ward:** Clare

Proposal: Trees in a Conservation Area Notification - (i) 1no. Willow (T1 on plan) fell; (ii) 1no. Cherry (T2 on plan) overall crown reduction of 25%; (iii) 1no. Cherry (T3 on plan) overall crown reduction of 30%; and (iv) 1no. Cherry (T4 on plan) overall crown reduction of 25%

Site: Sear Pictures Gallery, Well House, Well Lane, Clare .CO10 8NH

Applicant: Mr & Mrs Pugh

Agent: TM Treesolutions - Mr Tom Downer

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

CONTACT CASE OFFICER:

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Proposal:

1. This notification has been submitted to inform the Council of the intent to carry out works to trees within a conservation area at least six weeks prior to the works being carried out. The notification is referred to the Committee because one of applicants is an Elected Member of the Borough Council

Application Supporting Material:

2. Information submitted with the application as follows:
 - Application form
 - Tree location plan
 - Annotated aerial photograph

Site Details:

3. The site comprises a two storey, mid-terrace property within the town centre of Clare. The trees the subject of the notification are located to the rear of the property, forming part of a verdant area and creating a tree belt between the properties along Well Street and the Clare Castle Country Park.

Planning History:

4. DC/14/0782/TCA - Trees in a Conservation Area Notification - (i) Willow (W1 on plan) - Re-pollard to previous pollarding points ;(ii) Laburnum (L1on plan) - remove one of four main stems and reduce rest by 30% due to proximity to property. No objection raised. 16.06.2014

Representations:

5. Parish Council: No representations received
6. No other representations received

Officer Comment:

7. The issues to be considered in the determination of the application are:
 - Amenity value of the trees
 - Health of the trees

Health of the trees

8. T1, the willow tree, appears to be dead, having no leaves despite all other trees in the area still being in leaf at this time. The tree has been maintained as a pollard in the past. Noting that the tree appears very much to be dead, it would be technically exempt from requiring a notification and could be dealt with under a five day notice for dead or

dangerous trees subject to a replacement. Noting that this willow tree is in a sufficiently close proximity to a boundary wall that it could cause damage if it were to fall, it is not considered that the retention of this tree is appropriate. As noted below, this tree, in any event, is not of sufficient amenity value to warrant its retention.

9. The cherry trees all appear to be healthy, with T2 being a substantially developed tree and a central feature within the garden. The trees do not appear to be compromising any of the surroundings, though it is noted that T3 and T4 are in reasonably close proximity to a fence, such that keeping them at a reduced height would contribute to their longer term viability in this location.

Amenity value of the trees

10. All the trees are located to the rear of the property, screened from Well Street and other roadside areas by the existing built development. A gap between properties at the junction of Station Road and Well Lane appears to give some glimpse views of tree tops of T3 and T4, but these are not visually prominent in this view, and it is not considered that their loss would harm it.
11. To the rear of the site is a substantial tree belt surrounding the motte within Clare Castle Country Park. Views from the castle are restricted by this tree belt, such that it would not be possible to view any of the trees within the notification site because of the existing vegetation. In addition, the ground level within the application site slopes down to the rear, further reducing the prominence of the trees in any public views.
12. Given this, the trees are not, therefore, visually prominent from any public location, and do not provide sufficient amenity value that it would be appropriate to serve a tree preservation order.

Conclusion:

13. In conclusion, the trees are not considered to be of sufficient amenity value to warrant their protection by a tree preservation order and the works are not considered to be detrimental to their viability in the long term.

Recommendation:

It is **RECOMMENDED** that **no objection** is raised and **no tree preservation order is served**.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

Case Officer: Aaron Sands

Date: 21 September 2016

Development Control Manager: