

ITEM 5

Application Number: 12/00176/TPO

Tree preservation order consent to deadwood 3 x Common Lime trees (WG01, WG02, WG03); remove ivy from 1 x Holly tree (WG07) and 1 x Norway Maple tree (WG15); fell 2 x Norway Maple tree (WG11, WG45) and 1 x Ash tree (WG16). Works to groups of trees; remove ivy from 1 x English Elm tree (1a); remove 3 limbs from 1 x Norway Maple tree (1b); clear fell 1 x Ash tree, 1 x tall Elder tree, 1 x Hawthorn tree and 1 x Norway Maple tree (1c); clear fell 1 x Elm tree and 3 x moribund Hawthorn trees (1d); clear fell a dense group of saplings (1f)

AT Westbury Grange Care Home, Westbury Lane, Newport Pagnell

FOR MHA Group

Target: 21st March 2012

Ward: Newport Pagnell North

Parish: Newport Pagnell Town Council

Report Author/Case Officer: Jonathan Hill

Contact Details: 01908 252519 jonathan.hill@milton-keynes.gov.uk

Head of Team: Andrew Horner

Contact Details: 01908 252609 andrew.horner@milton-keynes.gov.uk

1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The Site

The application site is the Westbury Grange Care Home, Westbury Lane, Newport Pagnell. The trees are located to the south of care home, and located along Westbury Lane and Wolverton Road. Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

1.2 The Proposal

The current application seeks consent to deadwood three Common Lime trees (WG01, WG02, WG03), remove ivy from one Holly tree (WG07) and one Norway Maple tree (WG15), fell two Norway Maple trees (WG11, WG45) and one Ash tree (WG16), remove ivy from one English Elm tree (1a), remove three limbs from one Norway Maple tree (1b), clear fell one Ash tree, Elder tree, Hawthorn tree and Norway Maple tree (1c), clear fell one Elm tree and three moribund Hawthorn trees (1d) and clear fell a dense group of saplings (1f). Details of the proposal as described above can be seen in the plans appended to this report.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National and Regional Policy

National Planning Policy Framework paragraph:

14. Presumption in favour of sustainable development

2.2 Local Policy

Core Strategy

None

Adopted Milton Keynes Local Plan 2001-2011

D1: Impact of proposals on locality

3.0 MAIN ISSUES

(The issues which have the greatest bearing on the decision)

- 3.1 1. The impact on the visual amenity of the area. The Arboricultural Officer has analysed this proposal and considers the proposals to be good arboricultural practice.

4.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

- 4.1 It is recommended that Tree Preservation Order consent is granted subject to a condition regarding replacement trees.

5.0 CONSIDERATIONS

(An explanation of the main issues that have lead to the officer Recommendation)

5.1 Impact on the visual amenity of the area

It is considered that the proposed works would affect the visual amenity of the area, however not to a level that would warrant refusal. Within section 4.2 of the 'Westbury Grange Tree Condition Survey' it is suggested that trees be replaced with more suitable landscaped specimens. In light of the agent's intention to replace the trees and the limited impact the proposed works would have on the amenity value of the area, it is recommended that TPO consent is granted. Replacement trees can be secured by way of condition and this has been included in the recommendation.

5.2 Other matters

Other matters, which are not critical to the decision, are dealt with in Section 3 of the attached Appendix.

5.3 Conclusions

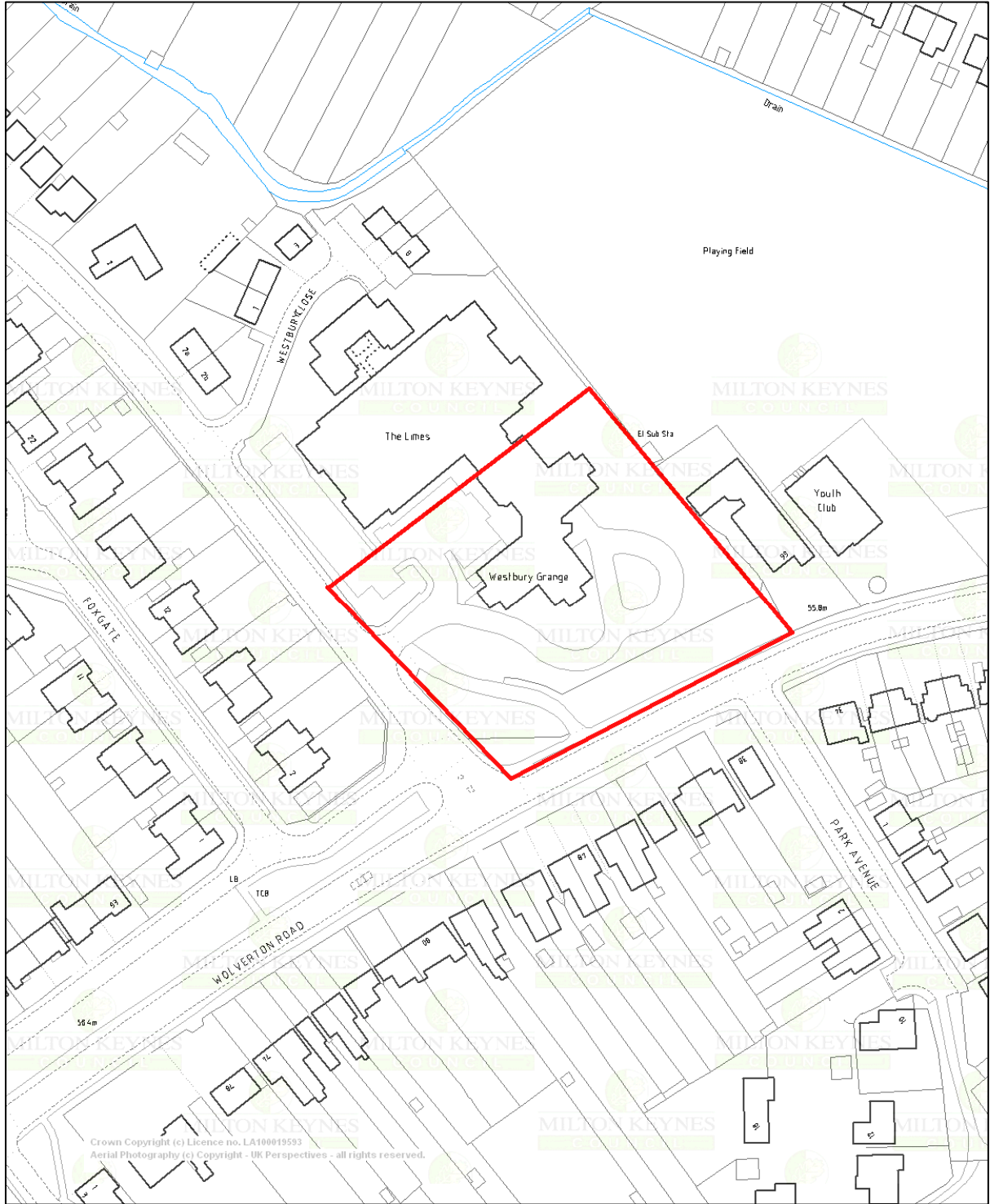
Given that the works would be good arboricultural practice and replacement trees can be secured by way of condition, it is recommended that tree preservation order consent is granted.

6.0 CONDITIONS

(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable)

1. Within three months of the date of this issue, full details of the proposed replacement trees shall be submitted to and approved by the Local Planning Authority before any part of the works is commenced. These should be trees that are suitable to the location. The scheme shall show the size of the tree to be planted and its location in relation to proposed buildings, roads, footpaths and drains. Any tree removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees of such size and species as may be agreed by the Local Planning Authority. The replacement trees shall be planted within nine months of the date of this issue.

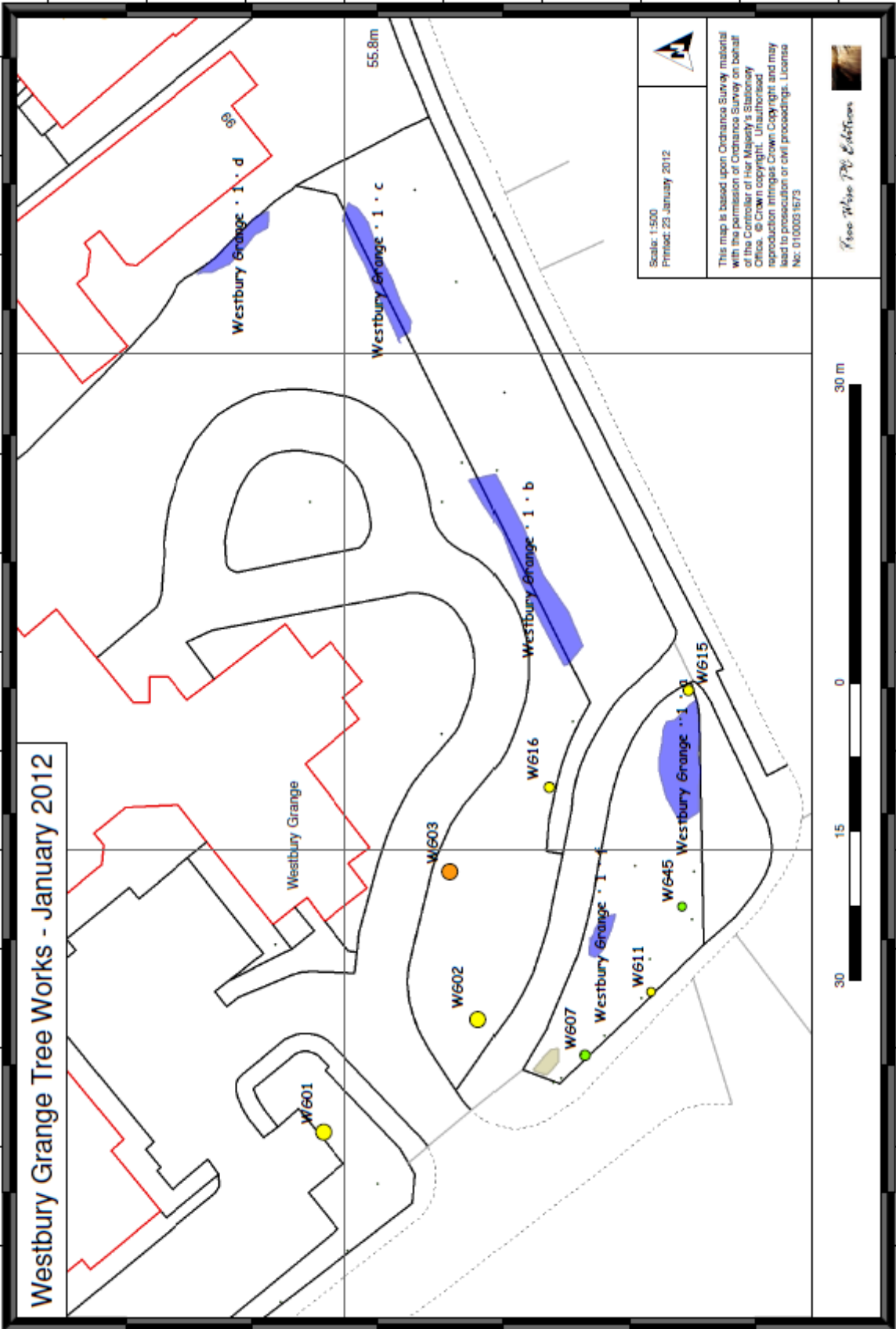
Reason: to protect and maintain local amenity value and landscaping.



498950

498900

Westbury Grange Tree Works - January 2012



Scale: 1:500
 Printed: 29 January 2012

This map is based upon Ordnance Survey national with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License No: 0100031573



Tree Wise Tree Solutions

Appendix to 12/00176/TPO

1.0 RELEVANT PLANNING HISTORY

(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)

1.1 06/01276/TPO
FELLING OF TWO ASH TREES
PTPOZ 03.10.2006

07/01741/TPO
REMOVING DEAD, DYING & DEFECTIVE WOOD THROUGHOUT THE CROWN FOR 3 LIME TREES & REDUCING CROWN TO 30% OF 1 LIME TREE AND FELLING TO GROUND LEVEL OF 1 LIME TREE & 1 NORWAY MAPLE TREE
PTPOZ 11.12.2007

2.0 CONSULTATIONS AND REPRESENTATIONS

(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)

Comments	Officer Response	Policy Reference
2.1 Arboricultural Officer No objection. 1. The proposed works are considered good arboricultural practice/management and therefore would recommend that permission be granted.	None.	
2.2 Newport Pagnell Town Council No objection.	None.	
2.3 Ward - Newport Pagnell North - Cllr Barry No objection.	None.	
2.4 Ward - Newport Pagnell North - Cllr Eastman No comment.	None.	

2.5 Public Representations

The occupiers of the following properties were notified of the application:

- 3, 4, 23, 24, 42 and 43 The Limes Westbury Lane Newport Pagnell
- Body Limits 99 Wolverton Road Newport Pagnell
- Sherington Wedding Cars 2 Foxgate Newport Pagnell
- 4, 6, 8 and 10 Foxgate Newport Pagnell MK16 8BJ
- 34 - 54 Wolverton Road Newport Pagnell MK16 8JG (evens only)

2.6 4 letters of objection have been received. These have raised the following issues:

1. Loss of trees / woodland	Noted. It is proposed to condition replacement trees. See para. 5.1 of the report.	MKLP: D1
2. Visual impact	Noted. It is proposed to condition replacement trees. See para. 5.1 of the report.	MKLP: D1
3. Loss of amenity value	Noted. It is proposed to condition replacement trees. See para. 5.1 of the report.	MKLP: D1

4. Loss would lead to a loss of privacy to neighbouring properties of Separation distance from proposal to neighbouring properties is significant. In addition, replacement trees can be secured by way of condition. See below para 3.2. MKLP: D1

3.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

3.1 Exempt tree works

It is worth noting that the removal of deadwood, ivy, dangerous branches does not require permission through the exemptions in the TPO regulations.

3.2 Loss of privacy to neighbouring properties

A concern has been raised with regards to the loss of the trees leading to a loss of privacy to neighbouring properties. The distance between the neighbouring property and Westbury Grange Care Home is approximately 60 metres. It is considered that 60 metres is a sufficient distance for there not to be a reduction in privacy to neighbouring properties.