

## **DEVELOPMENT CONTROL COMMITTEE**

**FRIDAY 25 JULY 2014 AT 10.00 AM**

**PRESENT:** Councillor Scarborough (Chairman), Councillors Bloxham, Caig, Cape (as substitute for Councillor Mrs Bradley), Earp, Gee, McDevitt, Mrs Parsons, Ms Patrick, Mrs Prest, Mrs Warwick and Wilson

**ALSO**

**PRESENT:** Councillor Collier attended the meeting as Ward Councillor in respect of Application 14/0346 (land to the rear of Edna's Cottage, North End, Burgh by Sands)

**OFFICERS:** Director of Economic Development  
Director of Governance  
Development Manager  
Heritage Officer  
Landscape Architect/Tree Officer  
Planning Officers (x4)

### **DC.51/14 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Mrs Bradley.

### **DC.52/14 DECLARATIONS OF INTEREST**

In accordance with the Council's Code of Conduct the following declarations of interest were submitted:

Councillor Bloxham – Interest – Application 14/0406 (Field adjoining Purdoms Crook, Sandysike, Carlisle, CA6 5ST) – the applicant is known to him as a Parish Councillor

Councillor Earp – Interest – Applications 14/0316 (land between Wetheral Methodist Church and Redcroft, Wetheral, Carlisle); 14/0406 (Field adjoining Purdoms Crook, Sandysike, Carlisle, CA6 5ST); 14/0332 (land between Four Oaks and Fell View, Warwick Bridge, Cumbria); 14/0360 (land adjacent Greenacre, Burnrigg, Warwick Bridge, Cumbria); 14/0414 (land part Field 6259, Scotby, Carlisle) – some of the responders are known to him

Councillors Caig, Cape, McDevitt, Patrick, Scarborough, Warwick and Wilson – Interest – Agenda Item A.2 (Revocation of Tree Preservation Orders 43 and 57) - they are members of an organisation that owns a property in Chatsworth Square

### **DC.53/14 MINUTES OF PREVIOUS MEETINGS**

The Minutes of the meetings held on 9 April 2014, 11 April 2014 and 16 May 2014 were approved and signed by the Chairman as a correct record of the meetings.

The Minutes of the site visits held on 23 July 2014 were noted.

## **DC.54/14 PUBLIC REPRESENTATIONS IN RESPECT OF PLANNING APPLICATIONS**

The Director of Governance outlined, for the benefit of those members of the public present at the meeting, the procedure to be followed in dealing with rights to speak.

## **DC.55/14 CONTROL OF DEVELOPMENT AND ADVERTISING**

RESOLVED – That the applications referred to in the Schedule of Applications under A, B, C and D be approved/refused/deferred, subject to the conditions as set out in the Schedule of Decisions attached to these Minutes.

### **(1) Erection of 1no bungalow (Outline), land to the rear of Edna's Cottage, North End, Burgh by Sands, Carlisle, CA5 6BD (Application 14/0346)**

The Planning Officer submitted the report on the application which had been the subject of a site visit held on 23 July 2014. The application had been by advertised means of site and press notices as well as notification letters sent to four neighbouring properties. In response three letters of objection had been received. The Planning Officer summarised the issues raised therein.

The Planning Officer presented photographs of the site and a location plan. He summarised the content of a revised response from the Highway Authority and the response from the Solway Coast AONB.

The Planning Officer further explained that a condition would be imposed to restrict the proposed dwelling to be single storey.

The Planning Officer acknowledged Members' concerns in respect of the access road and advised that the applicant used the access most days and that the proposed development would not affect the access. There would be a low impact from construction on Leigh Cottage and a condition could be imposed that would require a construction method statement that would require the use of small construction vehicles only.

The Parish Council had raised objections in respect of drainage, whereas the Planning Officer advised that United Utilities had raised no objection in respect of drainage. A further condition could be added in respect of foul water drainage.

For those reasons the Planning Officer recommended approval of the application.

Councillor Collier (Ward Councillor) addressed the Committee and outlined the objections of the Parish Council. The site was not one of the approved sites approved by either the community or the Parish Council within the Council's Development Plan. The Parish Council believed that the area had met its percentage share of development within the Carlisle Development Plan but had earmarked further sites to move beyond that commitment.

In relation to the site the Parish Council were actively resisting unplanned extensions to the village envelope such as the current application which was neither planned nor required. The foul water drainage system in the area was already overloaded and further properties would exacerbate that problem.

The proposed development would be contrary to the ethos of the Solway AONB and the style of development proposed within the application would set an unfortunate precedent in a rural

environment and was contrary to the Burgh by Sands Parish Development Plan which had been adopted as additional guidance by the City Council.

The introduction of modern houses closely overlooking Listed Buildings would spoil their setting and the proposed access to the site was poor and would cause a further hazard to existing traffic.

Councillor Collier added that run off from the site would affect the footings of the clay dabbing wall of Leigh Cottage. It was intended that the roof of Leigh Cottage would be thatched which would reduce the width of the access road.

Councillor Collier advised that in the past there had been 20-30 properties of clay dabbing construction but many had disappeared. The Councillor reminded Members that such buildings were a feature of the Solway AONB and once demolished would never be replaced. For those reasons the Ward Councillor requested that the application be refused.

The Committee then gave consideration to the application.

A Member reiterated the importance of clay dabbing buildings in the area and invited the Heritage Officer to provide some further information.

The Heritage Officer stated that such buildings were a finite resource whose decay was being outstripped by the number of newly constructed dwellings. The Heritage Officer had raised his opinions with the Planning Officer and advised that Leigh Cottage would need to be taken into consideration in any design of a dwelling on the site. The Officer advised that he had no objections to a building on the site subject to it being of the appropriate design but a number of caveats would need to be taken into account.

In response to a query from a Member the Heritage Officer advised that the overhang from a thatched roof could be up to one metre and would project into the access road.

A Member moved refusal of the application as he believed it to be contrary to Policies DP1, DP9, LE12 and H9.

The Member had noted on the site visit that grass around the gate to the farmland beyond the application site was overgrown and suggested that it had not been opened for some time. There were a number of Grade 2 Listed Buildings in the area and the Member suspected that Leigh Cottage was the only clay dabbing property left within the area.

The motion to refuse the application was seconded.

The Development Manager outlined the reasons why it would not be appropriate to include Policy DP1 in the reasons for refusal as there was a bus stop at the end of North End and Burgh by Sands was the local service centre for the area.

A Member was concerned that there had been no response from Cumbria County Council in respect of drainage and queried whether Members could make a decision without that information. The Development Manager explained that since the transfer of drainage issues passed to the flood authority, the County Council Drainage Engineer only commented on applications relating to larger issues or where there were local concerns. With regard to the current application whilst the Making Space for Water group had looked at other issues in

Burgh by Sands they had not raised concerns in relation to the application and therefore it was unlikely that the County Council would respond.

A Member stated that she too was against the proposal and read from paragraph 129 of the National Planning Policy Framework which related to Heritage Assets as she believed that the application was contrary to that paragraph.

A Member noted that a ditch running alongside Leigh Cottage was not evident from the photographs. He believed that increased use of the access would lead to the road spreading into and filling up that ditch which would affect the effectiveness of it.

The Member was also concerned about the quality of life of residents of Leigh Cottage as its windows were so close to the access to the proposed development.

For the sake of clarity the Planning Officer confirmed that the proposed dwelling would be no more than single storey and a dormer bungalow would not be permitted.

A Member requested that if the application was approved that the access road be closed to make it less likely that the road would be adversely affected in future.

The Development Manager explained that amenity was covered by Policy H9. With regard to the access the Development Manager further explained that three parties currently had access and use of it would be a matter to be resolved between themselves. The owner of Leigh Cottage had stated that he intended to have the roof thatched and if there were any problems as a result they would be dealt with at that time.

Following a vote it was unanimously:

RESOLVED – That the application is refused for the reasons indicated within the Schedule of Decisions attached to these minutes.

**(2) Variation of Conditions 2 (Approved Documents) and 13 (to Vary Turbine Tip Height from 76.5 metres to 79 metres) of previously approved permission 13/0853, land south west of Bankdale Park, Wreay, Carlisle (Application 14/0401)**

The Planning Officer submitted the report on the application which had been advertised by the display of a site notice and by means of notification letters sent to 35 properties. In response 49 letters of objection (43 of which had signed a standard letter) and one letter of comment had been received during the consultation period. The Planning Officer summarised the issues raised therein and outlined the changes from the previous approval.

The Planning Officer presented a number of photomontages of the revised turbine from viewpoints around the site and a map showing the location of the turbine in relation to neighbouring properties.

It was not considered that the relatively minor changes to the turbine would have a sufficient adverse impact upon the living conditions of neighbouring properties or the surrounding landscape to warrant refusal of permission. Therefore the Planning Officer recommended approval of the application.

The Committee then gave consideration to the application.

A Member moved approval of the application.

A Member queried the reason for the change in height of the turbine and believed, if it was due to turbulence from trees in the area that the trees would continue to grow and cause similar problems in future.

A Member was surprised that issue had not been discovered as part of the original application and queried how many more masts would be affected by such turbulence.

A Member believed that a higher turbine would be detrimental to residential amenities. The Member stated that Allerdale Borough currently had a policy to locate turbines no closer than 800 metres from the nearest residential property and suggested that the City Council could consider a similar policy.

The Development Manager explained that Allerdale Borough Council had put forward the policy as part of its Local Plan process and had been accepted by the Planning Inspector whilst others around the country had not. The Development Manager advised that the City Council had not yet set any targets and policies were currently under review.

The Director of Economic Development added that to impose a condition in respect of distance to residential properties would be against national policy.

A Member believed that such a policy should be included in the Carlisle Local Plan and submitted to the Planning Inspector. The Director of Economic Development explained that Allerdale Borough Council's policy had been approved due to the cumulative effect of wind turbines in the area. The situation in Carlisle District was different.

The Planning Officer further explained that the Allerdale Borough Council policy also came with caveats in relation to issues such as topography of the land and the nature of the residential properties.

Approval of the application was moved and seconded.

RESOLVED – That the application is approved subject to the imposition of relevant conditions as indicated within the Schedule of Decisions attached to these minutes.

### **(3) Residential Development (Outline), land between Wetheral Methodist Church and Redcroft, Wetheral, Carlisle (Application 14/0316)**

The Planning Officer submitted the report on the application consideration of which had been deferred at the previous meeting to enable a site visit to be undertaken. The site visit was held on 23 July 2014. The application had been advertised by means of a site notice and direct notification to the occupiers of six of the neighbouring properties. In response nineteen letters of objection had been received and the Planning Officer summarised the issues raised therein.

The Planning Officer presented plans and photographs of the site.

The Planning Officer advised that the applicant had provided additional information following comments raised by the Council's Landscape Architect/Tree Officer. An additional response from the Tree Officer clarified that having looked at the historic maps, it was suspected that the hedges would qualify as "important" under the Hedgerow Regulations. Therefore it was

expected that they would be retained as part of any reserved matters application. The information in respect of the trees was as stated as being acceptable and should assist the architect in achieving a reasonable layout that recognised the constraints imposed by the trees and hedges. That issue would be considered as part of any layout in the subsequent application and a condition was imposed that required the provision of adequate protection measures for the tree and hedges during construction.

The Planning Officer reminded Members that the application sought outline planning consent with all matters reserved and the principle of housing development on the site was acceptable under the provisions of the National Planning Policy Framework. The proposal did not adversely affect the living conditions of adjacent properties by poor design, unreasonable overlooking or unreasonable loss of daylight or sunlight. The siting, scale and design of the proposal were subject to appropriate planning conditions and would be given careful consideration at the time of any subsequent application to ensure that the scheme would be well related to the existing built form of the village. The development would not create a precedent for further applications in the area, which in any case would have to be considered on their own merits.

Although concerns had been expressed about the potential detrimental impact on the users of the highway and general highway safety, the Highway Authority had raised no objection subject to the imposition of appropriate conditions. Further planning conditions dealt with landscaping, tree and hedge protection, together with foul and surface water drainage.

Therefore the proposal was considered to be compliant with the objectives of the relevant Local Plan policies and the application was recommended for approval with Authority to issue subject to the completion of a Section 106 Agreement to secure an affordable housing contribution.

Mrs Sweetman (Objector) stated that she was speaking on behalf of residents of Wetheral village who objected to the proposed development. Residents were disappointed that objectors had not been notified about the meeting or an earlier meeting at which the decision had been deferred.

Mrs Sweetman did not believe that due regard had been given to concerns raised by the objectors. Residents did not believe that the site should be developed and the Methodist Church did not form a natural end to the village. The application site lay outside the village boundary. The Planning Officer had stated that the National Planning Policy Framework did not advocate the use of settlement boundaries but it did not advocate the disregard of boundaries. The Planning Officer had also stated that the National Planning Policy Framework was a material consideration but the National Planning Policy Framework stated that it did not change the statutory status of the development plan as the starting point for decision making. The development plan had identified other sites for development but not the application site.

Residents believed that development of the site would constitute ribbon development outside the village protruding into open countryside. That would be contrary to the Council's draft Local Plan. The site was surrounded by countryside on three of its four sides and would be clearly visible from all angles irrespective of the fact that the Methodist Church was there.

Mrs Sweetman was concerned that approval of the application would set a precedent for further development in the area and that it would make it more difficult for any application for development on the opposite side of the road to be refused.

Mrs Sweetman also expressed concerns in respect of the access. She had lived next door to the site for a number of years and had never seen the applicants using the access. In fact the grass surrounding the gate was overgrown.

The application did not specify the number of houses and residents were concerned that if the application was approved the developer may increase the number of properties.

Whilst the Highway Authority had recognised that a number of conditions must be met because the road was dangerous, Mrs Sweetman did not believe that they would make the road safe. Cars regularly travelled along that road at high speed and many car users parked along the road when taking part in church activities. There had been accidents in the past and the potential increase in vehicle activity would only increase the likelihood of further accidents.

For those reasons Mrs Sweetman believed that the application should be rejected.

The Committee then gave consideration to the application.

A Member moved approval of the Officer's recommendation.

A Member, whilst acknowledging that the application was outline was concerned about how residents would access and exit the site as he believed cars would be reversed onto the highway. The Member queried how cars would get on and off the site if the hedge was retained as suggested by the Landscape Architect/Tree Officer. As it had been suggested that the hedge was ancient hedgerow the Member believed that some should be retained.

The Planning Officer reminded Members that the application was outline and issues such as the hedgerow would be dealt with at the Reserved Matters stage. He explained that the comments of the Landscape Architect/Tree Officer did not specify to which hedgerow he was referring but confirmed that Members' comments would be taken into account and added that the hedgerow would be retained if possible.

The Member queried reference to the National Planning Policy Framework which was at odds with a similar reference within a later application.

The Development Manager explained the differences between the reference in relation to the current application and that to be considered later in the meeting.

A Member had noted on the site visit that the grass around the gate leading onto the site was overgrown and that the gate had clearly not been used for some time. The Member could see no reason to retain the gate unless the applicant intended to extend the site in future. The Member also noted a large electricity pylon on the site and believed that it would be detrimental to the visual amenity of any properties erected on the site.

The Member was also concerned about the safety on the highway and stated that if residents did not use their garages there would be more cars parked on the road. The Member moved that the application be deferred to allow amendments to the application in respect of Members' concerns. The Director of Economic Development explained that Members had to consider the application before them and as the application was for outline approval it could not be deferred for further information. That information would be brought to Members as part of the full application at a later date.

The Member moved refusal of the application.

A Member believed that due to the large tree and the electricity pylon close to the church, and if the hedgerow was to be retained, the entrance to the site would have to be further from the corner.

The Member did not believe that the application would constitute ribbon development as there were buildings on the other side of the site which was on the edge of the village.

The Planning Officer reminded Members that the application was outline and that he would work with the applicant to identify the best solutions to the issues raised in respect of the hedgerow and the highway.

A Member believed that the application suggested three large properties which would lead to a number of cars exiting the site.

A Member was concerned that the highway was dangerous with two bends close to the site and the speed at which traffic travelled along that road.

The Member was also concerned that the drainage in the area was already at capacity and suggested that the matter should be considered as part of the Carlisle Local Plan.

The Member seconded the motion that the application be refused.

The Member queried what was considered “a reasonable time” as stated within the report in respect of the Planning Officer’s recommendation.

The Director of Governance explained that three months was considered to be a reasonable time to allow the completion of most legal agreements. However there were occasions where applications were more complex and that time could be extended.

The Director of Economic Development explained that the Local Plan team were working with the Utility companies in respect of drainage issues within Carlisle.

A Member did not believe that the issues raised could be addressed and therefore seconded the motion to refuse the application.

A Member stated that as he had been unable to attend the site visit he would not participate in any vote taken on the determination of the application.

Following a vote it was:

**RESOLVED** – That the application is approved subject to the imposition of relevant conditions as indicated within the Schedule of Decisions attached to these minutes.



**(4) Erection of a single wind turbine 24.6m to hub height, 34.2m tip height and new access track, land to the north of Midtown Farm, Kirkbampton, CA5 7JB (Application 12/0735)**

The Planning Officer submitted the report on the application which had been the subject of a site visit held on 23 July 2014. The application had been advertised by means of site and press notices as well as notification letters sent to three neighbouring properties. In response seven letters of objection had been received along with one comment and one letter of support. The Planning Officer summarised the issues raised therein.

The Planning Officer explained that the application site was located four fields to the rear of the farm steading just within Carlisle District, and was surrounded by agricultural land. The field was laid to grass and was either grazed or cut for silage. The application site was located over 650 metres to the north of the farm steading within a field, with adjoining agricultural fields delineated by hedges, post and wire fences and hedgerow trees.

Despite repeated requests Allerdale Borough Council had not responded to the consultation.

The Planning Officer presented a map which indicated the location of wind turbines in the area within the Carlisle District and a further map indicating wind turbines in the Allerdale District.

The Planning Officer reminded Members that the wind turbine at Orton Grange was over twice the height of the turbine in the current application.

The Planning Officer explained that Allerdale Borough Council currently had a policy that restricted wind turbines within 800 metres of a residential property. That had been approved due to the special circumstances in that area arising from the proliferation of turbines throughout the District. However distance policies had not been allowed in other parts of the country. As such it did not set a precedent and could not therefore be applied to the current application.

For those reasons the Planning Officer recommended approval of the application.

The Committee then gave consideration to the application.

It was moved and seconded that the application be approved.

RESOLVED – That the application is approved subject to the imposition of relevant conditions as indicated within the Schedule of Decisions attached to these minutes.

The meeting adjourned at 11.20 and reconvened at 11.30.

**(5) Variation of Condition 3 of previously approved permission 07/0749 to discontinue shooting on Sunday and Bank Holidays; proposal of new shooting days and times of Tuesday to Saturday inclusive from 10am to 4pm, field adjoining Purdoms Crook, Sandysike, Carlisle, CA6 5ST (Application 14/0406)**

The Planning Officer submitted the report on the application which had been advertised by means of a site notice and direct notification to the occupiers of three properties. In response

four letters of objection had been received and the Planning Officer summarised the issues raised therein.

The Planning Officer presented photographs and plans of the site and explained that the site was located in open countryside albeit adjacent to agricultural land with residential properties in the wider area. The site had been in operation since planning permission had been granted seven years previously. Planning policies supported the principle of the expansion of rural based businesses, subject to an appropriate assessment against other planning related matters.

Many of the objections had raised concerns about the potential for noise and loss of amenity from the increased use of the site. Whilst approval of the application had the potential to generate increased levels of noise and disturbance the originally submitted noise assessment found that noise levels in the three nearest noise sensitive locations would be within acceptable limits. Since the use commenced the Council had not received any noise nuisance complaints.

The site continued to be bound to operate within the parameters of its Home Office licence and Cumbria Constabulary which included input from the Firearms Department and had raised no objection to the increased use of the site.

Consent of the application would allow the expansion of an established rural based business. All matters had been appropriately and robustly assessed against national and local planning policies and found to be acceptable. The conditions attached to the previous application, which included the use of the land, where firearms could be discharged, prohibition of lead shot, the means of access and the retention of the parking provision, would remain applicable to the site. The application was therefore recommended for approval.

The Committee then gave consideration to the application.

It was moved and seconded that the application be approved.

RESOLVED – That the application is approved subject to the imposition of relevant conditions as indicated within the Schedule of Decisions attached to these minutes.

**(6) Erection of 1no affordable dwelling (Outline Application), land between Four Oaks and Fell View, Burnrigg, Warwick Bridge, Cumbria (Application 14/0332)**

The Development Manager explained that item had been deferred to allow additional discussions with the Highway Authority.

It was moved and seconded that a site visit be undertaken.

RESOLVED – That consideration of the application be deferred to allow further information to be received and to enable a site visit to be undertaken and to await a further report to a future meeting of the Committee.

**(7) Erection of 2no dwellings (including 1no Affordable Housing) (Outline Application), land adjacent Greenacre, Burnrigg, Warwick Bridge, Cumbria (Application 14/0360)**

The Development Manager explained that item had been deferred to allow additional discussions with the Highway Authority.

It was moved and seconded that a site visit be undertaken.

RESOLVED – That consideration of the application be deferred to allow further information to be received and to enable a site visit to be undertaken and to await a further report to a future meeting of the Committee.

**(8) Erection of 1no dwelling (Outline), land adjacent Woodcote, Durdar Road, Carlisle, CA2 4TL (Application 14/0342)**

The Planning Officer submitted the report on the application which had been advertised by means of a site notice and direct notification to the occupiers of two of the neighbouring properties. In response two letters of objection and one comment had been received and the Planning Officer summarised the issues raised therein.

The Planning Officer presented photographs and plans of the site and advised that no justification had been submitted with the application to weigh against the general interest in conforming to planning policy. The Planning Officer reminded Members that the application sought Outline Planning Permission for the erection of one dwelling with all matters reserved. The submitted drawings were indicative and illustrated a single storey, two bedroom property with incutillage parking for two to three vehicles. The building measured 16.2 metres in length and the width would vary between 5.2 metres and 8.5 metres.

For those reasons it was considered that the size of the site was insufficient and would result in a cramped form of development that would be detrimental to the character of the area contrary to local and national planning policies designed to protect the countryside.

In overall terms the proposed site was located in a rural location and given the relationship with nearby properties, and planning consent recently granted by Members of the Development Control Committee, they were material considerations that would have to be taken into account in the determination of the application. The principle of residential development on the site could not be disputed and was therefore acceptable.

However due to the significantly constrained form and size of the site, development to provide a dwelling would appear cramped and overdeveloped and would result in an obtrusive feature that would appear alien within the context of the character and appearance of the area. For that reason the proposal was contrary to planning policies and was recommended for refusal.

The Committee then gave consideration to the application.

It was moved and seconded that the application be refused in line with the Officer's recommendation.

RESOLVED – That the application is refused for the reasons indicated within the Schedule of Decisions attached to these minutes.

**(9) Erection of 1no dwelling (Revised Application), land part field 6259, Scotby, Carlisle (Application 14/0414)**

It was moved and seconded that consideration of the application be deferred to allow a site visit to be undertaken.

RESOLVED – That consideration of the application be deferred to allow a site visit to be undertaken and to await a further report to a future meeting of the Committee.

**DC.56/14 REVOCATION OF TREE PRESERVATION ORDERS 43 – STONE HOUSE, HAYTON AND 57 – CHATSWORTH SQUARE**

Members of the Labour Group had declared an interest in the application in that their Labour Party Office was near the site. The Director of Governance advised those Members that they had noted the interest for the record, and whilst it was a matter for them, it was unlikely that the interest was such that it could lead to an argument of bias or be deemed to influence the way they may vote. In that case they could remain in the meeting and participate in the matter.

The Landscape Architect/Tree Officer presented Report ED.24/14 that proposed the revocation of Tree Preservation Orders 43 (Stone House, Hayton) and 57 (Chatsworth Square) as part of the ongoing Tree Preservation Order review.

The Landscape Architect/Tree Officer outlined the reasons for the variation or revocation of Tree Preservation Orders and in particular in respect of Tree Preservation Orders 43 and 57.

The Landscape Architect/Tree Officer explained that Tree Preservation Order 43 (Stone House, Hayton) had been identified as not accurate. Several of the trees shown on the Order no longer existed and the land had been developed resulting in the map being out of date. A replacement Tree Preservation Order had been made and confirmed prior to proposing the revocation of Tree Preservation Order 43 so there would be no loss of protection to the important trees on the site.

Tree Preservation Order 57 (Chatsworth Square) protected trees that were also protected by their location in the Chatsworth Square/Portland Square Conservation Area. The Tree Preservation Order was made in 1983, nine years prior to the designation of the Conservation Area. Conservation Areas provided protection to the trees similar to that afforded to trees protected by Tree Preservation Orders. The Landscape Architect/Tree Officer explained the process for anyone wishing to carry out works to a tree in a Conservation Area.

The Landscape Architect/Tree Officer advised that having a Tree Preservation Order on trees in a Conservation Area represented an unnecessary level of bureaucracy and management. There had been no notifications to work on the protected trees since 1995. The Conservation Area protection would ensure that no works could be carried out, other than certain exempted works, without the agreement of the local planning authority.

For those reasons the Landscape Architect/Tree Officer recommended that Tree Preservation Orders 43 (Stone House, Hayton) and 57 (Chatsworth Square) be revoked.

The Committee then gave consideration to the report.

It was moved and seconded that the Tree Preservation Orders 43 and 57 be revoked.

In response to a query by a Member the Landscape Architect/Tree Officer advised that the Tree Preservation Order 43 pre-dated development of the site and that some of the trees had been removed.

RESOLVED: That Tree Preservation Orders 43 (Stone House, Hayton) and 57 (Chatsworth Square) be revoked.

(The meeting ended at 11.46 am