

## APPEALS COMMITTEE

2.00 P.M.

2ND MAY 2006

**PRESENT:** Councillors Sheila Denwood (Chairman), Helen Helme (Vice-Chairman), Shirley Burns, Chris Coates, John Gilbert (substitute for Pat Quinton) and David Kerr.

Apologies for Absence:

Councillors John Harrison and Pat Quinton.

Officers in Attendance:

Alan Humphreys	Legal Services Manager
David Hall	Development Control Manager
Maxine Knagg	Tree Protection Officer
Jane Glenton	Democratic Support Officer

**7 SITE VISIT - TREE PRESERVATION ORDER NO. 380 (2006) RELATING TO A BEECH TREE LOCATED AT FIELD WEST OF BOTTOMDALE CARAVAN PARK, SLYNE-WITH-HEST**

The site visit scheduled to take place prior to the commencement of the meeting, was cancelled in response to the Appellant's refusal to allow Members of the Committee access to the field to the west of Bottomdale Road, Slyne-with-Hest.

**8 MINUTES**

The Minutes of the meeting held on 7<sup>th</sup> November 2006 were signed by the Chairman as a correct record.

**9 TREE PRESERVATION ORDER NO. 380 (2006) RELATING TO A BEECH TREE LOCATED AT FIELD WEST OF BOTTOMDALE CARAVAN PARK, SLYNE-WITH-HEST**

The Committee considered an appeal against a decision of the Council, under Section 198 of the Town and Country Planning Act 1990, making an Order in respect of a single beech tree located at Field West of Bottomdale Caravan Park, Slyne-with-Hest.

Maxine Knagg, Tree Protection Officer, circulated photographic details to Members showing the location of the beech tree, and informed Members that she had undertaken a visual assessment from ground level and a systematic assessment in terms of the amenity value and development pressures from the adjacent caravan park.

Members were advised that the beech tree was a significant landscape tree, being the only one of its species, size and age in the location, surrounded by significantly smaller, mature ash trees. It was estimated to be 30m+ (100 feet) in height with a trunk diameter of 1m and a crown spread of 20m. Its canopy overhung the adjacent caravan park. It was situated close to the boundary of the field and any excavation works undertaken by the adjoining caravan park and within the canopy spread of the tree would damage its

root system.

It was noted that an evaluation had been carried out using a recognised evaluation system and criteria.

Members were informed that the Tree Preservation Order (TPO) had been made for the following reasons:

1. The tree's intrinsic beauty, exceptional form and good condition.
2. Its individual impact, being highly visible from the surrounding area.
3. Its size, being the single largest, significant tree.
4. Its species, being the only beech tree.
5. Its importance as a wildlife habitat.
6. The surrounding low-density tree cover.
7. Development pressures from the adjacent caravan park.
8. The detrimental impact on the environment caused by its damage or removal.

Members considered the details and David Hall, Development Control Manager, advised of the background to the case.

***(The Committee passed a resolution to exclude the press and public, on the basis that in making its decision, exempt information would be received in the form of legal advice.)***

***(The Committee adjourned at 2.30 p.m. to consider the evidence. The representatives from the City Council's Planning Services left the meeting at this point.)***

Alan Humphreys, the Committee's Legal Advisor, advised Members of the legal position in regard to the objection and Members considered his advice.

It was moved by Councillor Coates and seconded by Councillor Kerr:

"That the appeal be refused and the TPO confirmed without modification."

Upon being put to the vote, Members voted unanimously in favour of the proposition.

***(The Committee reconvened at 2.38 p.m. to give their decision and the representatives from the City Council's Planning Services returned to the meeting at this point.)***

The Democratic Support Officer advised those present of the Committee's decision.

***Resolved:***

That the appeal be refused and the TPO confirmed without modification.

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Chairman

(The meeting ended at 2.41 p.m.)

**Any queries regarding these Minutes, please contact  
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