

Allerdale Borough Council
Planning Application CAT/2022/0005
Development Panel Report

Reference Number: CAT/2022/0005
Valid Date: 07/03/2022
Location: 35 Park End Road, Workington
Applicant: Richard Brook
Proposal: Various works to trees as detailed in submitted works to trees schedule

RECOMMENDATION

That no objections are raised to the proposal.

Summary

<u>Issue</u>	<u>Conclusion</u>
Amenity value	The proposed works will neither result in detriment to the health of the trees nor the visual amenity they provide

1. Introduction

1.1 A section 211 notice was received on 7th March 2022 notifying proposed works to the trees at the above address.

2. Proposal

2.1. The details for consideration are:-
Application form dated 3rd March 2022
Works to trees schedule
Aerial photo

3. Site

3.1 The application site is a semi-detached residential property with gardens to the front and rear in which the trees are situated along the boundary. Further residential properties are to the south and west of the site with the Helena Thompson Museum to the east and Hall Park to the north. The property is within the Workington Conservation Area.

4. Relevant Planning History

4.1 None

5. Representations

5.1. **Workington Town Council** – No response to date.

6. Legal background

6.1 The primary legislation relating to trees within Conservation Areas is the Town and Country Planning Act 1990, Section 211.

7. Policy and Guidance Framework

7.1 Trees in Conservation Areas are protected by legislation. The consent of the Local Planning Authority is required to carry out proposed works to the trees.

7.2 Amenity

‘Amenity’ is not defined in the primary or secondary legislation, so a judgement has to be made by the Panel on whether the proposed works are acceptable or whether they harm amenity to an unacceptable extent. In coming to a judgement, members should normally consider:

- **Visibility** - The extent to which the tree can be seen by the public. It should normally be visible from a public place, such as a road or footpath, or accessible by the public.
- **Individual, collective and wider impact** - The Council needs to consider size and form; future potential as an amenity; rarity, cultural or historic value; contribution to, and relationship with, the landscape and; contribution to the character or appearance of a conservation area.
- The Council may also consider taking into account other factors, such as importance to nature conservation or response to climate change.

8. History

8.1 The trees are situated within the designated Workington Conservation Area.

9. Assessment:

9.1. The trees are situated on the boundary of the property and consist of a variety of species. The application provides the relevant notification under s211 of the Town & Country Planning Act to carry out various pruning works to reduce the height of the trees and reshape them.

9.2 The trees are prominent features within the street scene being highly visible from public vantage points including Park End Road and Carlton Road. They are a valuable contribution to the amenity of the area and the wider Conservation area in which they are situated within.

9.3 The proposed works are minor in nature consisting of reducing the height of the trees and reshaping them. The works will not result in detriment to the health of the trees or the visual amenity they provide and ensure they are maintained at size which is suitable for their location.

10. Conclusions

10.1. The trees are considered to make a significant contribution to visual amenity but it is considered that the proposed works will not result in detriment to this visual amenity or to the health of the trees.

11. RECOMMENDATION

11.1 It is recommended that no objections are raised to the notification to carry out the proposed works to the trees.

