

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 September 2012

AUTHOR/S: Planning and New Communities Director

C/11/17/063/01 01/12/SC – THE OLD RECTORY, LITTLE GRANSDEN
Application to be determined to refuse or grant consent to fell one Wellingtonia and one Cedar

Recommendation: Approval

Date for Determination: 14 September 2012

This Application has been reported to the Planning Committee for determination as TPO 01/12/SC is to be determined at Planning Committee

To be presented to the Committee by David Bevan

Site and Proposal

1. The Cedar and Wellingtonia are located in the grounds of The Old Rectory a grade II listed building in the village of Little Gransden within the designated Conservation area.
2. This application to fell trees subject to a tree preservation order, validated on 27 July 2012, seeks to fell the Cedar and Wellingtonia due to differential foundation movement (subsidence) of the property.

History

3. Section 211 notification **C/11/40/063** validated 1st February 2012, 6 week consultation expired 12th March 2012.
4. Tree Preservation Order 01/12/SC served 9th March 2012, provisionally in force until 9th September 2012 unless confirmed.
5. Tree Preservation Order presented to planning Committee 1st August 2012 to be confirmed or not confirmed – decision deferred until 5th September 2012.

Consultation by South Cambridgeshire District Council as Local Planning Authority

6. **Little Gransden Parish Council** has not commented in response to the consultation on this application. Comments on the confirmation of the Tree Preservation Order (Item TBA) are set out in that report

Representations by Members of the Public

7. No comments have been received in response to the consultation on this application. Comments on the confirmation of the Tree Preservation Order (Item TBA) are set out in that report.

Material Considerations

8. The technical data submitted in support of this application is the same as submitted in January 2012 to support the Section 211 notification with the following exceptions that have been circulated: -
 - Updated Arboricultural assessment report from OCA
 - Statement of reasons
 - Report from Gawn Associates 2009
9. The technical reports and data submitted by and on behalf of the owners and their insurers, and those reports commissioned by the Parish Council and this Council, have been considered and discussed in the reports on confirming the Tree Preservation Order.
10. Those reports have also considered and discussed the material considerations in relation to confirming the Order and given three main options which have implications for this application.
11. If the decision is taken that the Tree Preservation Order should not be confirmed then this application will be redundant as formal consent for felling will not be required after the lapse of the provisional order.
12. If the Tree Preservation Order has been confirmed, the Committee may want to approve this application for the felling of the trees subject to a condition requiring replacement planting if they believe that the written assurance from the owners that they will do this is not sufficient.
13. If the Tree Preservation Order has been confirmed and Members want to refuse this application then the Committee should be aware of the potential for compensation that will result and the relative desirability of two possible routes which are set out in the report on the Tree Preservation Order.

Recommendation

14. The recommendation will follow and should relate to the decision whether to confirm the Tree Preservation Order.

The officer recommendation is that the application to fell the Cedar and Wellingtonia is granted consent because:

- The trees are causing movement to the Old Rectory which is resulting in a level of damage to the listed building and a significant nuisance to the owners.
- An approval with a condition requiring replacement planting is not necessary given the written commitment of the owner
- The costs of underpinning, which is the appropriate solution if the trees are not felled, is a potential liability for the Council and, even when reduced by the cost of felling, outweighs the high amenity and heritage value of the trees.

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