

**APPLICANT:** Mr Steven Barker 19 Clive Place, Vale Of Glamorgan, Penarth, CF64 1AU

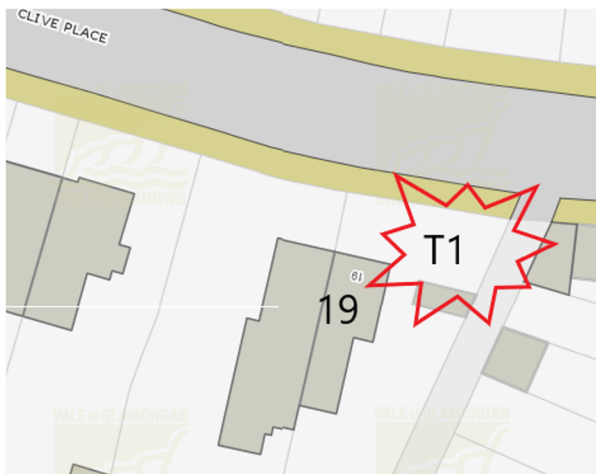
**AGENT:** Mr Steven Barker 19 Clive Place, Vale Of Glamorgan, Penarth, CF64 1AU

**19, Clive Place, Penarth**

Crown reduction and canopy lift of Copper Beech tree (*Fagus Sylvatica* 'Purpurea'). Tree location East boundary of front garden. Work undertaken in line with recommendations from tree survey (attached documentation).

**SITE AND CONTEXT**

The application site is 19 Clive Place in Penarth. It is located within Penarth Conservation Area. The tree (T1) is located within the front garden area of the property as detailed on the location plan below:



**DESCRIPTION OF DEVELOPMENT**

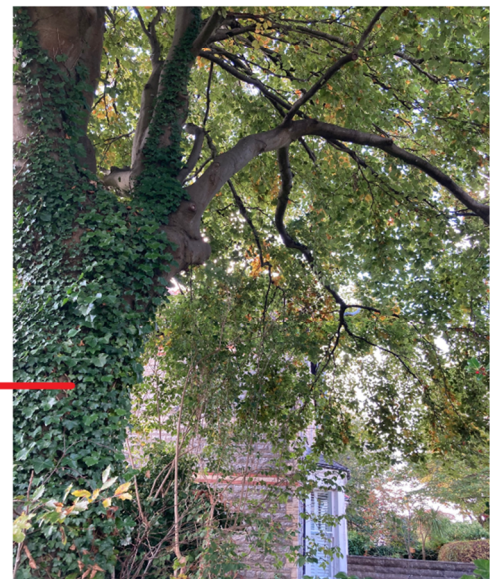
The application seeks consent for the following, “*Crown reduction and canopy lift of Copper Beech tree (Fagus Sylvatica 'Purpurea')*”. *Tree location East boundary of front garden. Work undertaken in line with recommendations from tree survey (attached documentation)*”.

The application is supported by a tree survey and report from Graham Chesterton Arboriculture (dated November 2021).

Following a request for the extent of the crown lift/reduction the images below show the extent of the proposed works.



Remove major deadwood, rubbing branches and Ivy from base of tree



## PLANNING HISTORY

2012/00657/FUL, Address: 19, Clive Place, Penarth, Proposal: Renovate the windows on the front of the house to replace rotten sills, add new sashes including double-glazing and draughtproofing and refurbishment of the boxes. The new sills will be exact copies of the existing ones apart from the double glazing, Decision: Approved.

2018/00789/TCA, Address: 19, Clive Place, Penarth, Proposal: T1 multistem Sycamore-crown lift, thinning of crown, T2-Sycamore-crown lift, thinning of crown, T3- Sycamore- crown lift, thinning of crown, T4- Cherry Tree- felling, T5-Bay Tree- reduction in height, T6-Apple Tree-crown lift, T7-Copper Beech Tree-crown lift, Decision: Approved.

2021/01650/FUL, Address: 19, Clive Place, Penarth, Proposal: Rear and side ground floor extension and loft conversion with flat roof dormer to rear, and side conservation skylights, Decision: Approved.

2022/00100/FUL, Address: 19, Clive Place, Penarth, Proposal: Proposed new outhouse to the rear of garden. Proposed new driveway access from side lane, with EV charging point. Proposed removal of 4 trees. Works to boundary wall associated to the works, Decision: Withdrawn.

2022/00696/FUL, Address: 19, Clive Place, Penarth, Proposal: Proposed new outhouse to the rear of garden. Proposed removal of 3 trees at rear. Repair works to boundary wall associated to the removal of the trees, Decision: Approved.

## CONSULTATIONS

Due to the type of application, consultations are not statutorily required and therefore not carried out.

## REPRESENTATIONS

Due to the type of application, representations are not statutorily required and therefore not carried out.

## REPORT

### Issues

For this notification the Council need to determine whether the trees should be issued with a Tree Protection Order. Supplementary Planning Guidance: Trees, Woodlands, Hedgrows and Development advise the Tree Evaluation Method for Tree Preservation Orders (November 2009). The issues to consider are:

- 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 Copper Beech tree (T1) is located in a prominent and visible position in the street scene and is relatively large. The form is relatively good; however, it is noted that previous works have been carried out and the lower branches have grown extensively towards the dwelling and adjacent garages belong to other dwellings on the opposite side of the side lane. It is noted that in a previous application (Ref 2018/00789/TCA) it was not considered suitable for a TPO and the photographs from that application demonstrate it is currently in a similar condition.

The submitted tree report identifies its condition as good, however it notes due to the close proximity to the boundary wall, that this has affected its growth and the condition of the wall which is showing evidence of damage. It is further noted, in the report, it states the tree will continue to grow and this raises a question over the long-term future of the tree in this location.

The Copper Beech tree is not considered a rare tree, of historic value or cultural value.

From a site visit it is noted the tree currently contributes to the amenity of the property and wider conservation area. The information provided demonstrates that following the works recommended the tree would still similarly contribute to the amenity of the area.

In light of the above, the Council for the reasons set out above, would not seek to TPO the tree (T1).

### REASON FOR RECOMMENDATION

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

### RECOMMENDATION

#### NO OBJECTIONS.

1. The authority has no objection to the proposed works to the tree as described in the notification and does not intend to make a Tree Preservation Order in respect of them.

#### NOTE:

1. **The work hereby approved shall be carried out within 24 months of the date of this consent.**
2. **Bats must not be disturbed or destroyed during tree work. A full visual inspection of the trees to be worked on must be carried out prior to intended work to check for the presence of bats. Advice on bats and trees may be obtained from the Natural Resources Wales (Countryside Council for Wales as was). Bats may be present in cracks, cavities, under flaps of bark, in dense ivy and so forth. Should bats be identified, please contact either Natural Resources Wales on 0845 1306229 or the Council's Ecology Section on 01446 704627.**

**Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.**

**In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).**

**The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.**

**Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.**