



BARNSLEY
Metropolitan Borough Council

TPO SPLIT DECISION (Partial Grant and Partial Refusal of Consent)

TOWN AND COUNTRY PLANNING 1990

TOWN AND COUNTRY PLANNING
(TREE PRESERVATION ORDER)
REGULATIONS 1969

APPLICATION NO: 2009/0268

To Mr George Strawbridge
Sulby Cottage
Bark House Lane
Cawthorne
Barnsley
South Yorkshire
S75 4AP

In pursuance of its powers under the above-mentioned Act and Regulations Barnsley Metropolitan Borough Council as the Local Planning Authority hereby **partially grants consent and partially refuses consent** for the proposals subject of the plan(s) and application registered by the Council on the 27 February 2009 and therein described as:- Crown lift of Copper Beech, Oak, Elm, Silver Birch and 2 no. Sycamores and Felling of 2 no. Silver Birch within TPO. at Sulby Cottage, Bark House Lane, Cawthorne, Barnsley, S75 4AP.

Please note the approval relates to Trees B, S2, S4-7 and SB1-3. The refusal relates to crown lifting O and WE as shown on the submitted plan forming part of this application

Grant consent for Split Decision is subject to compliance with the following conditions:-

- 1 Not less than five working days notice of the date of the proposed work shall be given in writing to the Local Planning Authority and the tree surgery shall be carried out to the standards set out in BS3998.
Reason: To ensure the work accords with good arboricultural practice in accordance with Policy GS22 of the adopted Unitary Development Plan and SPG9 (Trees and Hedgrows).

Stephen Moralee

Signed

Assistant Director, Planning and Transportation

Dated 14 April 2009

- 2 The proposed tree works should be completed within 2 years of the date of this consent. Any required replanting should be carried out in the planting season immediately following the tree felling.
Reason: To ensure that adequate notice is given for the works to be inspected and approved by the Local Planning Authority.
- 3 The following references relate to the applicant's site plan:
B- Copper Beech -pruning shall be limited to downward hanging branches up to 3 metres above ground levels and to exclude branches in excess of 2.5 metre diameter.
S2,S4-S7,SB1- crown lifting shall not be above 3 metres above ground level.
Reason: In the interests of visual amenity and for the benefit of the trees.

Reason(s) for Granting Consent

- 1 Trees - Policy GS22 The proposed application is acceptable maintenance work within Policy: GS22 - Woodlands, Hedgerows and Trees and SPG9 - Trees and Hedgerows.

Informative(s)

- 1 Please note the approval includes felling SB2 and SB3 and replacement trees are not required in this instance.
- 2 The decision to grant consent
- 3 The decision to grant planning permission has been taken having regard to the policies and proposals in the Barnsley Unitary Development Plan set out below and to all relevant material considerations, including Supplementary Planning Guidance:

GS22A - protection of trees
GS13 - Conservation and enhancement of areas of BLV
SPG9 - trees and hedgerows

This informative is only intended as a summary of the reason for granting consent. For further details on the decision please refer to the application file, by contacting 01226 772593.



Signed

Assistant Director, Planning and Transportation

Dated 14 April 2009

The reasons for the Council's decision to refuse consent for Split Decision is/are:-

- 1 In the opinion of the Local Planning Authority, the proposed crown lifting of the Oak and Wych Elm which are subject to a Tree Preservation Order is unnecessary and the proposed work which is subject to a Tree Preservation Order would be harmful to the visual amenity of the area, contrary to UDP Policy GS22.

Please note that no consent is required to maintain a clearance of 5.5 metres above the highway or 2.5 metres above the footway.

Notes:-

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 198 of the Town and Country Planning Act 1990, within 28 days of receipt of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 Hawk Wind, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.