

## LOCATION PLAN – Blenheim House, Oxford Road, Dewsbury



Map not to scale – for identification purposes only

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**Electoral Wards Affected:      Dewsbury West**

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### **RECOMMENDATION:**

DELEGATE approval for no objection to a Conservation Area Notification 2019/90208.

## **1.0 INTRODUCTION:**

- 1.1 The purpose of this report is to provide Members with the information required to make a decision regarding this Conservation Area Notification.
- 1.2 Members are required to make this decision as it is stipulated within the Delegation Agreement for Investment and Regeneration, "all applications submitted by or on behalf of... any Elected Member or a member of their family."

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The application relates to two trees in the rear garden of Blenheim House, Oxford Road, Dewsbury, WF13 4LN. The tree is protected by the Northfields Conservation Area.

## **3.0 PROPOSAL:**

- 3.1 The proposal is to reduce the height by approximately 50% and shape the remaining crown accordingly of a Silver Birch in the rear garden of the property and to fell and remove a Eucalyptus.
- 3.2 The applicant is a Mr Mohammed Pandor, the brother of Councillor Pandor, Leader of the Council, As a result this application must be decided at committee according to the Delegation Agreement.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 Consent was issued at this property to prune two trees at the front of the property in 2018 following approval by planning committee. In preparing to carry out the permitted work Mr Pandor has approached the Council seeking consent for work to additional trees.

## **5.0 PUBLIC/LOCAL RESPONSE:**

- 5.1 None, however note that the application was only received on 22/01/2019.

## **6.0 MAIN ISSUES**

- 6.1 The works proposed are to reduce the height of the Silver Birch tree by approximately 50% and shape the remainder of the crown accordingly. The work is to be carried out to allow more light in to the rear garden and aid satellite reception at the property.
- 6.2 The application also includes the removal of a Eucalyptus tree, growing adjacent to the Silver Birch. This tree is to be removed on the grounds of safety.

## **7.0 APPRAISAL**

- 7.1 As the application is for work to trees within a Conservation Area, and not protected by a Tree Preservation Order, the Council cannot refuse the application but can either record 'no objection' or authorise the serving of a TPO to prevent the work taking place.
- 7.2 An assessment of the trees quality and significance with regard to public amenity has been made on 24<sup>th</sup> January 2019. Both trees were positioned near the site's southern boundary and as such were entirely hidden from view by the property when viewed from Oxford Road. The trees were also mostly obscured from view to users of Halifax Road by the site's ornamental shrubs and small trees that flank this road and therefore have limited public amenity value.
- 7.2 The Silver Birch tree appears to have been reduced significantly in the past and therefore has developed a poor multi-leadered form. Silver Birch that are reduced in height, as this one has been, often develop decay at the junction of the old and new growth which increases the likelihood of branch or stem failure.
- 7.3 The Eucalyptus had two bark wounds present close to the ground and decay of the heartwood was evident in these wounds. The Eucalyptus had also not developed a good crown form and was leaning away from the adjacent tree and had developed no lateral branches.
- 7.3 It is the Officer's assessment that neither of these trees would warrant protection by a Tree Preservation Order due to the defects, poor form and limited public amenity they present.
- 7.4 The considerations for Committee are whether the trees warrant a Tree Preservation Order to prevent the work. If not then the Council should record a decision of 'No Objection'.
- 7.5 Should Committee decide that the work is inappropriate and cannot support it then Officers will be required to serve a Tree Preservation Order to prevent the proposed work.

## **8.0 CONCLUSION**

- 8.1 The trees are not prominent from Oxford Road or Halifax Road being screened by the property or other trees in the garden which are adjacent to the road.
- 8.2 The trees had sufficient defects as to limit their safe future life expectancy, either caused by basal decay or poor regrowth from past pruning points.
- 8.3 In the Officer's opinion the trees do not warrant protection by a Tree Preservation Order and it is recommended that the Council records a decision of 'No Objection' to the proposed works.

### **Background Papers:**

Copy of the Application and modification