Item No 6

<table>
<thead>
<tr>
<th>Site:</th>
<th>Carline Road, Lincoln</th>
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<tbody>
<tr>
<td>Application No:</td>
<td>2010/0091/TPO</td>
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<tr>
<td>Target Date:</td>
<td>12/04/2010</td>
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<tr>
<td>Agent:</td>
<td>Manorcrest Homes Ltd</td>
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<tr>
<td>Applicant:</td>
<td>Mrs Ledbrook</td>
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<td>Development:</td>
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Background

This item was deferred from the Planning Committee meeting on 3 March 2010.

Members will recall that an application under planning legislation relating to trees in a conservation area was reported to Planning Committee on 3 February 2010 (Copy of report attached). The application sought to remove and replace the existing street trees on Carline Road with new semi-mature specimens in purpose made tree pits. The legislation provided the Committee with only two options, either that a TPO was deemed necessary in the interests of amenity or the works could simply go ahead.

The decision of the Committee was to refuse the proposal and place a Tree Preservation Order (TPO) on the group of street trees in order to provide for the long-term protection of the trees and amenity of the streetscene in an important conservation area.

I have received two objections to the making of the TPO, from the County Council as owner of the trees, and Manorcrest Homes. These are attached to this report. The confirmation of the provisional TPO that has been made will need to be considered in due course and there would be a right of appeal if the TPO is confirmed. However, as the trees are now protected by the provisional TPO, applications can be made for works to the trees before the TPO is confirmed and any appeal heard. The possibility that such applications would be made and the appeal process were explained at the Planning Committee meeting in February.

The applicant has submitted two applications under TPO legislation, one to pollard the trees and one to remove and replace with semi-mature fastigiate Lime trees. Planning Committee is now being asked to consider these applications. It is not a request to reverse the decision made in February.
I have dealt with the consideration of both the applications in this report and provide separate recommendations for each at the end of the report.

There is no formal public consultation/notification procedure for the planning authority to carry out for this type of application. I have therefore agreed with the applicant that they send letters to surrounding residents explaining the proposals and how they can make comments to the Planning Authority. I have received responses from local residents and these are copied with the report.

There are a total of 10 trees along this part of Carline Road that lie adjacent to the approved residential development. The removal of two of these trees located in front of plots 11 & 12 was accepted within the granted planning permission. The application to pollard the trees covers six of the remaining eight trees (the two trees in front of plots 17 & 18 are excluded at this stage). The application to fell and replace covers all eight of the street trees. (Supporting information from the applicant for both of the applications is attached to this report).

**Site Visit**

Various dates by Planning Officers and the City Council’s Arboricultural Officer.

**Relevant Policies**

Policy 45A – Trees and other Ecological and Landscape Features on Development Sites.
Policy 34 – Design and Amenity Standards.

**Consultations**

No formal consultations are required for this type of submission. However, discussions have been held with the City Council’s Arboricultural Officer and the County Council’s Arboricultural and Highways Officers.

The applicant carried out a consultation exercise by sending letters to surrounding residents and seeking their comments on 1) the proposed pollarding and 2) the removal and replacement of the trees.

**Responses**

Lincolnshire County Council – object to the application to pollard the trees as the proposed work by the developers will affect the long term health and management of the trees.(Pollarding affects the structure of the tree and requires regular re-inspection / re-pollarding to ensure the trees are maintained in a safe condition). Whilst some pruning works were expected to be necessary to the street trees when planning permission was granted, it was not anticipated that the method of construction would require such extensive pruning and therefore did not consider the effect of the development
on the subject trees and because of this LCC are suggesting consideration be
given to removing and replacing with a more appropriate variety. Should the
trees be retained then the original planning permission will require amending
to locate the development away from the subject trees.

The responses from local residents received following the notification letter
circulated by the applicant are attached to this report.

Considerations
Application to Pollard the Trees – 2010/0091/TPO

The applicant has explained that in order to construct the approved
development on the adjacent site, at the very minimum, significant
pruning/pollarding is required. This would result in the branches of the trees
being removed close to the trunks of the trees. Some works to the trees were
envisaged when the original planning application was considered but this
application has now provided the details of the extent of the works that the
applicant considers would actually be required.

In response to the notification letter sent by the applicant, I have received a
number of responses from local residents. These are copied with this report.

I have also received a letter of objection from the County Council as owner of
the street trees. This raises significant concerns about the nature of the
proposed works, the impact on the health of the trees from pollarding works,
ongoing maintenance and liability issues and concludes that their permission
as owner is very unlikely to be granted because of these implications.

Notwithstanding my previous recommendation to the last Planning Committee
meeting that the best long term solution is to remove and replace the trees,
the trees are now currently the subject of a TPO and therefore any proposed
works must be properly considered on that basis. Your Tree Officer has raised
concerns about the visual impact of the proposed pollarding works, creation of
an ongoing maintenance liability and the impact on the health of the trees
from such extensive pollarding works.

The views of your Tree Officer are shared by the independent professional
arboricultural advice that has been sought by the applicant.

Notwithstanding the reasons that this proposal has been submitted by the
applicant, I cannot therefore recommend that the pollarding works are
approved as they would result in harm to the long term health of the trees and
such a low amenity value of the group of trees that this would not meet the
requirements for protection by a TPO.

Application to Fell and Replace the Trees – 2010/0104/TPO

The applicant has also submitted an application to fell the group of street
trees that are now the subject of a TPO and replace them with semi-mature
specimens in specialist tree pits, which incorporate a root anchoring system,
irrigation system and pit drainage. The pit would be filled with good quality topsoil mixed with compost, granular fertiliser and water-retentive granules. This would ensure the new trees get the best chance to establish quickly and provide much needed irrigation for their long term health.

The same reasons for this proposal as were submitted with the previous application, including independent advice from an arboricultural consultant, have been submitted with this application. A copy of the previous report which provides this information is attached to this report.

I have consulted both the City and County Council’s Tree Officers who have confirmed that they feel consideration should be given to the felling and replacement with a more appropriate variety as the best long term option.

I concur with this advice and consider that the best long term solution which allows the approved development to go ahead is that the trees are removed. This is an acceptable approach provided that the trees are replaced with good quality, semi-mature specimens, with a maintenance regime. This can be secured by a condition and legal agreement.

Financial Implications

Normal costs and compensation implications from TPO matters and appeal process will apply. Ongoing maintenance liability for County Council if trees are pollarded.

Legal Implications

Once a TPO is in place, the legislation allows applications to be made to carry out works to the trees or to fell trees.

The risk of a claim for compensation to the Council will come once an application to pollard/fell has been made and refused and will continue for a period of 12 months following their decision. For a claim for compensation to succeed the applicant would have to show that loss and damage was caused as a refusal of the consent. They would need to show that the damage

- was a natural or probable consequence of the relevant decision;
- within the contemplation of the authority at the time of making the decision;
- quantifiable in money terms;
- not too remote.

There is a duty to mitigate any damage by taking reasonable steps.

Equality Implications

There are no equality implications raised by this proposal which are not considered under other legislation.
Conclusion

Planning Committee is faced with a difficult decision on these applications. The purpose of a TPO is to protect trees which are considered to be of sufficient amenity value and it is in the public interest to protect the trees.

However, in this case, the applicant has explained that in order to implement the planning permission on the adjacent site either 1) significant pollarding works are required that would substantially remove the amenity value of the trees, potentially harm the health of the trees and are objected to by the owner of the trees, or 2) the trees need to be removed and replaced, which is of concern to local residents.

I must advise Committee that I do not consider the amenity value of the trees to be sufficient to justify making a decision that in effect prevents or delays the implementation of the planning permission on the adjacent site, when a satisfactory solution in the form of a good quality replacement planting scheme has been proposed and this is accepted by the County Council as owner of the trees.

The proposal to remove and replace the street trees with semi-mature specimens is the best long term solution that allows for the approved development on the adjacent site to be implemented.

Recommendation

1) 2010/0091/TPO - That the application to pollard the trees is refused for the reason provided above.

2) 2010/0104/TPO - That the application to remove and replace the trees is approved, subject to satisfactory conditions and legal agreement to secure replacement and maintenance.

Report by: Head of Planning Services
Copies of representations from local residents following consultations by applicant

23 Carline Rd,
Lincoln,
LN1 1HL

Dear Sir,

We have been invited by Manor Crest Homes to comment on their applications Nos.2010/0104/TPO and 2010/0091/TPO. We feel very privileged to live on Carline Rd. - a road noted for its fine views and leafy aspect. We enclose a photograph of the site which we believe illustrates this point. Members of the public frequently come up here to admire the view across the city. It is bad enough that that view is to be taken away by building, but to compound matters Manor Crest want to spoil the sylvan nature of our environment. They want to pollard the trees so that they can shoehorn their buildings onto the site.

Much of the beauty of a tree lies in its structure - the trunk divides into branches, the branches divide into twigs which get progressively thinner and more numerous. A pollarded tree loses this elegant structure. The trunk has a mass of thin growth straight from it, turning it into a grotesque "lollipop" shape like a child's drawing of a tree.

Pollarding is a poor solution.

It should go without saying that we also object most strongly to the removal of the trees. Replacement with trees of a more narrow upright form, as suggested by Manor Crest, would change the nature of the street scene in this conservation area for the worse. We note from the "artists" impression (enclosed) that the buildings are to rise straight from the pavement edge. This scarcely leaves room for any tree to grow. We feel that this whole project has been badly handled with little consideration given to the contribution these trees make to the character of this handsome road in a conservation area. We hope that our views will be taken into consideration by the council.

Yours,

Bob and Tina Speck

City of Lincoln Council

25 FEB 2010

Received
Passed
Attachments to letter from Bob and Tina Speck
Land and trees between 20 & 18 Carline Road

From: K LM [mailto:alexandrat@hotmail.co.uk]
Sent: 03 March 2010 00:36
To: Woolley, Loraine (City of Lincoln Council)
Cc: Coupland, Richard (City of Lincoln Council); Grice, Darren (City of Lincoln Council); geoffval@fsmail.net; Metcalfe, Richard (City of Lincoln Council); Lynn, Tracey (City of Lincoln Council); Bell, Kate (City of Lincoln Council); Committee Services

Subject: Land and trees between 20 & 18 Carline Road

Re: Land and trees between 20 & 18 Carline Road

Dear City Councillors,

Apologies for contacting you directly but I was advised that there is no formal consultation process for TPO related applications.

I greatly appreciate the foresight of the Planning Committee to place preservation orders on the trees along Carline Road. These beautiful trees have delighted me all of the years that I have lived in Lincoln. From spring through to autumn they add a vibrant show of colour all along the street. It is clear that the trees are healthy and any attempt to label them otherwise should be seen for the cheap trick that it is. I would not expect anything more from the current developers of the land. Developers who have shown, time and again, that they have scant regard for the environment and ecology or the local community. They have repeatedly bulldozed the site during nesting time in clear breach of the Wildlife and Countryside Act 1981. These developers are only interested in the money that they can make from this prominent site. Manorcrest do not have the trust of the community and I would not put any faith in consultation they claim to have had with us regarding these trees.

In conclusion, I object to the felling of the trees on Carline Road as their attractive visual and environmental amenity greatly benefits Carline Road and the whole conservation area.

Gavin McIntosh
113, Alexandra Terrace

PS.

I am not a bird spotter and this list is in now way comprehensive but I thought I would list some of the birds (several scarce in cities) regularly seen on the land and in the Carline Road trees.

Black Caps
Long tailed tits
Bullfinches
Goldfinches
Greenfinches
Chaffinches
Fly catchers
Thrushes
Redwings
Warblers
Wrens
Blue tits
Great tits
Black birds
Dunnocks
Robins
Sparrows
Kestrel
Tawny Owl (by night)

The dawn chorus is wondrous.

-----Original Message-----
From: D Cox [mailto:davidjcox@ntlworld.com]
Sent: 25 February 2010 21:07
To: Seddon, Paul (City of Lincoln Council)
Subject: Manorcrest

Dear Paul Seddon,

I am resident at 17, Carline Road, and keep receiving letters from Manorcrest about the trees re their new development. I sense a game going on? What is the council's view?

I remain totally opposed to the proposed new development, and it was a sad day when planning permission was granted. In my view it remains a classic case of blighting a visible part of the city with inappropriate and unnecessary housing, which few will be able to afford. Why is there all this hassle over the trees when planning permission exists and it will only take a few accidental hits on the trees with heavy equipment for the property company to achieve its aim?

Or am I being too cynical?

Yours sincerely,

David Cox
From: Christine Knight [mailto:christine-k@tiscali.co.uk]
Sent: 01 March 2010 12:31
To: Seddon, Paul (City of Lincoln Council)
Subject: Tree Preservation Order Carline Road

Dear Mr Seddon

I just wanted to make my views known about the proposed felling/pollarding of the trees along the length of the Manor Crest site 18A to 20 Carline Road Lincoln. I fully support the council putting a preservation order on these trees, I am very much against the felling or pollarding of this group of trees. They add considerably to the visual amenity of the road which is already going to be changed by the building of this development. These trees were the subject of dispute during the original planning stage so the developer must have known that a way should be found to keep them.

I hope that a satisfactory outcome will be reached.
I would be grateful if you could let me know the decision that is made, many thanks.

Yours faithfully

Christine Knight
6 Belle Vue Terrace
Lincoln
LN1 1HQ

From: Lucy Oakland [mailto:lucy.oakland@yahoo.co.uk]
Sent: 25 February 2010 20:20
To: Seddon, Paul (City of Lincoln Council)
Subject: Manorcrest Development Carline Road

Dear Mr. Seddon,

We are writing to object most strongly to Manorcrest Homes intention to fell the trees on Carline Road. The trees were in place when Manorcrest bought the land, so they presumably knew about them. We assume they expected to fell the trees automatically because they now present an inconvenience.

There has already been substantial tree-felling in this area by persons disregarding existing regulations, (eg. top of Spring Hill). In this beautiful conservation area, our established trees are an integral feature; the arrogance of these developers in assuming our support beggars belief.

With kind regards,
L. and M. Oakland.
Seddon, Paul (City of Lincoln Council)

From: howard.eve@btinternet.com
Sent: 26 February 2010 12:52
To: Seddon, Paul (City of Lincoln Council)
Subject: Manorcrest Development-Carline Road

Belmont
11 Carlile Road
Lincoln
LN1 1HL

26 February 2010

Dear Mr Seddon

We support the decision of the Council to place a Tree Preservation Order on this group of trees. However, we are against their pruning, pollarding or removal. Should the method of felling have an adverse effect on the root system, then Manorcrest should replace them.

Yours sincerely

Howard Eve

Mr Paul Seddon
Planning Department

Seddon, Paul (City of Lincoln Council)

From: Debbie [illustrator@debbieclark.eu]
Sent: 27 February 2010 11:37
To: Seddon, Paul (City of Lincoln Council)
Subject: Manorcrest Development

Dear Paul Seddon,

We are writing in total support of the council’s decision to maintain the preservation order on the trees growing near the proposed Manorcrest Development. In their current state they are vital to the beauty of this unique part of Lincoln. To cut, pollard them or similar would show a complete and arrogant disregard for the rule of law and local democracy. We have been thoroughly satisfied with many of the decisions of our democratically elected council, but having already seen precious and preserved trees illegally cut down at the top right of Spring Hill, it would seem that this has given the impression that these orders aren’t worth the paper they’re written on.

With regards,
Debbie Clark and Mike Cowling
01522 543250
Seddon, Paul (City of Lincoln Council)

From: Richard Donnerstag [rdonnerrag@nlworld.com]
Sent: 27 February 2010 17:40
To: Seddon, Paul (City of Lincoln Council)
Subject: Manorcrest Development on Carlisle Road

Paul,

I received Manorcrest's letter dated 25 February and am writing regarding the trees on Carlisle Road.

Firstly, I would prefer Manorcrest's works to be undertaken without affecting any of the trees. However, I recognise that this may be logistically challenging and therefore I would expect the Council to ensure that mature trees are planted once the development has reached an appropriate stage. These must be maintained for an appropriate period of time, to ensure that they grow successfully.

I would expect this condition to be legally binding on Manorcrest, to ensure that the work is undertaken. An alternative solution would be for them to pay a sum to the Council, for the Council to undertake the planting themselves.

Carlisle Road is a special location in Lincoln, both for the residents and for many others who take in the views over the city, throughout the year. The works that Manorcrest undertake must be closely inspected by the Council, throughout their duration, to ensure that this location is not adversely affected.

Yours faithfully,

Mr R Donnerstag

19 Carlisle Road
Lincoln
LN1 1HL
Beatrice Kelly  
79, Alexandra Terrace  
Lincoln  
LN1 1JF

01/03/10

Paul Seddon  
Development Control Manager,  
City of Lincoln City Council,  
City Hall,  
Beaumont Fee,  
Lincoln.  
LN1 1DB

Ref: 2010/0091/TPO  
RE: To Pollard  6 Lime Trees and 2 Maple trees on Carline Road

Ref: 2010/0091/TPO  
RE: To fell 6 Lime Trees and 2 Maple Trees on Carline Road.

Dear Mr Seddon,

I strongly object to both of the above proposals. I had understood that these trees had already had a tree preservation order placed upon them because of their importance to the conservation area that they were within. How confusing then that I am now being asked to comment on proposals to remove them completely...again!

According to the letter from Manor Crest “We are advised that there is no formal consultation process for this type of application to works to trees...” However I had understood that under planning constraints R.A.T.s and W.E.R.A should have been informed of the T.P.O and any further applications relating to these trees. As yet I have not heard anything from the planning department relating to the above... not even to inform me of this Planning Committee Meeting. This is very frustrating as it is not the first time that matters relating to the proposed build behind my property between 18a and 20 Carline Road have not been relayed following the correct procedure. This begs the following question; whose job is it to inform the residents affected by this build? the developers who stand to gain enormously by the successful manipulation of the Council Planning Department or the Planning Department that seems to prefer to remain manipulated rather than do their job!

From the very start of this proposed development I have had serious concerns about the impact it would have on my property and quality of life. The threats of structural damage resulting from the new build to the immediate locality and wider area still have not been taken seriously enough by yourselves or the developers. The site investigation undertaken is not accurate or detailed enough nor was it taken over a wide enough period of time to be comprehensive or conclusive.

The latest pictures advertising the completed development showed a height and mass larger than the original submitted plans. However this will be conveniently taken care of through retrospective planning permission won’t it. The windows and balconies in the new development are unacceptably intrusive and will totally deprive my family and neighbours of their privacy contrary to Policy 58 of the City Of Lincoln Local Plan. Of course the larger build will increase the duration of an already very lengthy construction period.
Which brings me to my next point. Manor Crest have informed me of their wish to use a Tower Crane during the construction. Is this tower crane to be situated on Alexandra Terrace or Carline Road? Surely this is a matter to be referred back to building regulations and therefore requiring further planning permission. I wish to know what safety procedures are to be adopted during this stage of the build, especially as the safety record so far has been very poor resulting in broken windows and roof tiles due to ineffective site security.

Carline Road is also to be closed now during the build (although I notice a time period has not been specified) adding to the congestion already caused by other road closures in the immediate area, what fun.

As to the proposal to pollard or remove the trees along Carline Road I feel it is an entirely unacceptable method of bypassing the T.P.O so that the developers are again able to achieve their goal. These trees are within a valuable conservation area which is still able to support a diversity of wildlife and need to be protected, especially as other trees within the locality have already been removed for other developments. Removing these trees branches will significantly reduce the nesting sites available for our local birds. It is a valuable green area within the city of Lincoln that needs to be nurtured not depleted.

The pollarding of these trees would be inappropriate because this area is also visually important. As no other trees within the immediate area have been treated this way I feel it would look seriously out of place and a departure from the current street scene. Under the Grant of Planning Permission 2005/0517/F it states clearly that in the interests of visual amenity and in accordance with section 197 of the 1990 Act the local planning authority should ensure that adequate provision is made for the preservation of the existing trees. Pollarding could very well lead to the death of these trees due to infection and decay. Pollarding should not be used on trees that have not been previously pollarded, as the large wounds created initiate serious decay in mature and maturing trees. As the trees on Carline Road are already maturing trees pollarding them should not even be a consideration.

The previous solution raised by Manor Crest to replace the Lime and Maple trees with Norwegian Maple trees planted in special tree pits had I thought already been discounted by the last Planning Committee Meeting. I hope this decision is to be upheld.

Although I am aware that Planning Permission has already been granted to Manor Crest I want to take this opportunity to reiterate the effect this huge development is having on my neighbourhood. This once close knit community is having its heart stripped out as family after family are choosing to move away rather than live with the threat of the unknown consequences of this huge development.

In conclusion I object to the removal or the pollarding of the 6 Lime Trees and 2 Maple trees on Carline Road. Permission should be refused. I look forward to receiving your response to my concerns.

Yours Sincerely,

Beatrice Kilby
Paul Seddon  
Development Control Manager,  
City of Lincoln City Council,  
City Hall,  
Beaumont Fee,  
Lincoln.  
LN1 1DB

Ref; 2010/0091/TPO  
Ref; 2010/0091/TPO

Dear Sir,

I am writing to voice my objections to both of the above proposals. I had previously been informed that a T.P.O had already been awarded to these trees and that the resulting protection would have been longer lasting than merely a few weeks.

I presume that by pollarding you are refering to the process whereby all the trees branches are removed from its trunk. From my own research I have found out that mature or maturing trees that have not been pollarded before are generally not suitable candidates for this sort of pollarding due to the large wounds that such treatment produces which may jeopardise the long term future of the tree. As these trees already have a T.P.O upon them surely pollarding them cannot be seen as an option if as a result the same trees are to die.

As for the removal and replacement of the trees why place a T.P.O on trees that are to be removed? Isn’t that opening the system up to ridicule? These trees need to be protected. They are form a vital part of the green wedge that makes up the conservation area that is Carline Road. We have already lost a lot of established trees from this locality and need to preserve what remains for the wildlife we are lucky enough to still enjoy.

I ask you most earnestly to consider the opinions of myself and other concerned residents in refusing the above proposals. I look forward to receiving a favourable response.

Yours Faithfully,

[Signature]
Seddon, Paul (City of Lincoln Council)

From: Lynn Tracey (City of Lincoln Council)
Sent: 23 February 2010 08:49
To: Seddon, Paul (City of Lincoln Council)
Subject: FW: Application ref: 2010/0091/TPO - Pollarding of 6 Limes and 2 Maples at Carline Road, Lincoln, LN1 1HG

Paul,

From: Richard Littlewood [mailto:Richard.Littlewood@lincolnshire.gov.uk]
Sent: 22 February 2010 15:16
To: Lynn Tracey (City of Lincoln Council)
Cc: Alan Attrap
Subject: Application ref: 2010/0091/TPO - Pollarding of 6 Limes and 2 Maples at Carline Road, Lincoln, LN1 1HG

Dear Tracey,

On behalf of Lincolnshire County Council I feel I must write and object to the application to pollard our trees.

Pollarding as a form of tree management is unacceptable. LCC does not pollard its own trees as pollarding is very damaging to trees health wise and also creates a ongoing maintenance liability. LCC cannot accept this liability especially at this time with the current climate of cost savings. Should consideration be given to pollarding a particular tree then I would suggest consideration should be given to remove and replace the tree with a more appropriate variety.

Should the City Council choose to give permission for the proposed works to go ahead then it is highly unlikely that Lincolnshire County Council will give consent for our trees to be pollarded.

Regards,

Richard Littlewood

Arboricultural Officer
Project Development Team
Environmental Management
Lincolnshire County Council
01502 - 555360

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25/02/2010
Lynn, Tracey (City of Lincoln Council)

From: Richard Littlewood [Richard.Littlewood@lincolnshire.gov.uk]
Sent: 26 February 2010 10:06
To: Lynn, Tracey (City of Lincoln Council)
Cc: Alan Aistrup
Subject: Objection to City of Lincoln Council Carline Road No. 1 Tree Preservation Order 2010

Dear Tracey

I would like to formally object to this Tree Preservation Order (TPO).

The County Council have been involved with the development of Carline Road since its early planning stages. Given the location of the development and the piling works required an agreement had been reached between the developer, city and county councils to remove these 8 trees and replace them with high quality semi mature trees. the new trees would not conflict with the development but would complement it.

Lincolnshire County Council employs specialist Arboriculturalists to provide management advice in respect of its trees. Decisions regarding the removal and replacement of LCC’s trees are not taken lightly, but usually are in the best interests of all concerned.

The short sighted view by the City council to TPO these trees does not consider the existing planning consent, location of the development and the long term management of our tree stock.

Regards

Richard Littlewood
Arboricultural Officer
Project Development Team
Environmental Management
Lincolnshire County Council
01522 – 552360

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25/02/2010
16 February 2010

Department of Development and Environmental Services
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DF

Dear Sirs

Formal Objection to Tree Preservation Order at Carline Road, Lincoln affecting Trees Numbered T1 to T8

Following the refusal of our application to the Planning Committee on 3 February for the removal of trees in a Conservation Area, we have received notice of making a Tree Preservation Order for eight trees on Carline Road and wish to object for the reasons set out below.

1. The trees are of very little value and it is only their street location that improves their rating to a Category B under the BS5837 standard. They are described by Stourton Forestry who carried out the BS5837 evaluation as being of low quality and value and in poor to moderate condition and we therefore reject the Council’s grounds for making the Order.

2. The trees are directly in the way of the Manorcrest development, which already has full planning permission. The Communities and Local Government guidance “Protected Trees: A Guide to Tree Preservation Procedures” states:

   “You can only cut down or cut back protected trees if they are directly in the way of development which is about to start, for which you have detailed planning permission” and

   “Once detailed planning permission is granted, any felling may be carried out which is directly required to enable the development to go ahead”.

3. The trees were not protected at the time planning permission was granted and we find it unreasonable to make the Order at this late stage, when we are due to start work shortly.
4. The Council has been made aware that our permitted development of the adjacent land could have the following effect on the trees:

- Piling immediately behind the Carlisle Road footpath to a depth of approximately 13 metres could sever the roots and cause the trees to become unstable or have a detrimental effect on their health.
- As our site will be covered by an impermeable surface this will lead to a loss of moisture that could affect the long term health of the trees.

There are potentially serious liability issues attached to any deterioration in the trees' health and stability, which will fall to the County Council as owner of the trees.

5. The Council suggested we consult local residents regarding our application to remove the trees and a letter was sent out accordingly in January to 65 neighbouring properties. Only two people objected to the removal of the trees.

6. The Council has indicated that it will allow pollarding of the trees, subject to Committee approval of a further application. We believe that pollarding:

- Will result in extremely unsightly trees, completely spoiling the visual amenity of the area.
- Is not the best course of action and may inadvertently reduce the life of the trees when more appropriate solutions have been sought.

Furthermore, we applied for removal, rather than pollarding for the following reasons:

a) The protection of trees covered by a TPO would normally require an exclusion zone to be established during construction. Owing to the nature of the piling works required to stabilise Carlisle Road and the hillside above, the piling rigs will need to work immediately adjacent to the trees. The development would not be able to continue if an exclusion zone were to be enforced.

b) The new properties will be traditional block and brick construction. This will require scaffold to be erected for bricklaying, window fitting, roofwork and soffits/guttering. For use as a working platform, scaffold would normally be 1.8m deep. The presence of the trees makes this impossible and we will therefore have to reduce the platform to a width that would not normally be considered safe or acceptable for working trades.

c) The pace of work will be slowed by having to work around the trees during both the groundworks and construction phases. The method of groundworks will have to be amended to take account of the restricted manoeuvrability and access, with spoil being double-handled. Piling and subsequent shuttering for the capping beams will take longer than normal and restricted scaffold access will slow construction. All of this has financial implications for the company.
d) Once they have re-established, the trees will present a nuisance to residents as they will be too close to the new buildings. They will need to be pruned regularly, creating a financial burden to the County Council and an administrative burden in having to apply to carry out works on their own trees.

We believe that the Council does not have the authority to make Preservation Orders on trees that are directly in the way of development land that already has full planning permission.

The Order was made to prevent us from removing the trees and pollarding is suggested as a suitable alternative. For the reasons set out above, notably the issues of liability and long term survival of the trees, we find this decision to be misguided.

However, being left with no alternative, we are applying for permission to pollard the trees but would reiterate that removal is the only safe and sensible way forward and therefore we will accept no liability whatsoever in respect of the trees.

Should the pollarding application be rejected or restrictions placed on the work, the development will come to a standstill and we will be forced to take legal action.

Yours faithfully

[Signature]

Dean Wann
Director
Copy of report to 3 February 2010 Planning Committee. The decision on this item was to place the trees under a Tree Preservation Order.

<table>
<thead>
<tr>
<th>Site:</th>
<th>20 Carline Road, Lincoln</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application No:</td>
<td>2010/0031/TCO</td>
</tr>
<tr>
<td>Target Date:</td>
<td>26/02/2010</td>
</tr>
<tr>
<td>Agent:</td>
<td>Manorcrest Homes Ltd</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mrs Ledbrook</td>
</tr>
<tr>
<td>Development:</td>
<td>To fell 6 Lime trees and 4 Maple trees located on the highway and to fell 1 Cherry tree and coppice 1 Hawthorn located within the garden of 20 Carline Road, Lincoln.</td>
</tr>
</tbody>
</table>

**Background**

This application proposes to fell 6 Lime trees and 4 Maple trees located in the Carline Road footpath and to fell 1 Cherry tree and coppice 1 Hawthorn located within the garden of 20 Carline Road, Lincoln.

The trees within the footpath are all owned by Lincolnshire County Council and the trees located within the gardens of 20 Carline Road are privately owned. None of the trees are protected by a Tree Preservation Order (TPO) but all are situated within the Carline Conservation Area. This means that before any works can be done to the trees, the person wishing to do the works must formally make a submission to the City Council explaining what works are proposed. The City Council then has to consider whether the trees ought to be protected under a TPO. If the trees do not warrant protection by a TPO or the works are acceptable then the works can go ahead. This is the decision that Planning Committee must now make.

Planning permissions have been granted for a residential scheme to be built on Carline Road immediately to the south of the footpath where the trees which are proposed to be felled are located. This development was partly granted in 2005, with a further planning application in 2008 for the redevelopment of 20 Carline Road.

The grant of planning permission has already accepted the removal of two of the smaller trees along Carline Road frontage to allow for one of the vehicle accesses into the site.

Since the grant of planning permission, the applicant has carried out further investigation into the construction methods available to build the approved development, commissioned a professional arboricultural report and sought the views of the County and City Councils’ Arboricultural Officers. The applicant has also been in lengthy discussions with your officers on what options are available to best protect the trees during building works and how to best ensure the long term presence of trees along Carline Road which will continue to contribute to the tree lined character of the street.
The applicant has carried out some pre-application consultation with the surrounding residents and the outcome of this is provided later in this report. The applicant’s supporting statement explains that the request to fell the trees in made for the following reasons:

1. Obstruction of Groundworks. Some pruning works were always likely to be required during the construction stage of the development. The applicant has investigated using smaller piling rigs to minimise the amount of pruning necessary to the trees. Whilst an option for a smaller rig would reduce the need to prune the trees to carry out this particular element of the construction works, the method for removing soil from the site would require a long reach excavator operating from Carline Road. It would not be possible for the excavator arm to swing without damaging the trees.

2. Obstruction during Construction. A significant part of the approved development sees the new buildings constructed up to the back of the footpath along Carline Road. The buildings are predominantly brick construction which means scaffolding will be required for bricklayers etc. It would not be possible to erect scaffolding correctly and the applicant has been unable to identify a feasible alternative for the bricklaying.

3. Long Term Health and Stability of the Trees. The applicant contends that the new development would mean the trees would be mostly surrounded by impermeable surfaces which would reduce the amount of moisture and nutrition available to the trees, there is a potential for compression of the root system from plant driving across the footpath, the 11m deep piles to be driven immediately behind the footpath could damage the root structure and would curtail future root spread, and there is potential for further trunk wounding. All these could lead to deterioration in the long term health of the trees.

4. Proximity of Trees to the New Properties. Six of the existing trees would be directly in front of the gable ends or overhang the newly constructed properties. This would be likely to result in a need for regular pruning and the extent of the pruning is likely to have an effect on the aesthetics of the trees as well as its future growth.

The applicant further states that the following benefits of the removal of the trees would result:

1. The groundworks would be made substantially easier to carry out.
2. Allow scaffolding to be use to construct the brickwork.
3. The street trees that are removed would be replaced by Advanced Nursery Stock trees of approximately 3-5m planted height. Specialist Arborsystem tree pits, which incorporate a root anchoring system, irrigation system and pit drainage would be used. The pit would be
filled with good quality topsoil mixed with compost, granular fertiliser and polymer p4 water-retentive granules. This would ensure the new trees get the best chance to establish themselves quickly and provide much needed irrigation for their long term health.

4. The species proposed for the replacements could be chosen for their appearance and suitability for this urban environment, providing a tree that would be upright and columnar in habit, with a fresh, attractive appearance and seasonal interest. The choice of a fastigiate tree would also reduce the amount of pruning required and avoid the need for pollarding in future.

5. If set back from the kerb, the trees are less likely to suffer from traffic damage and this could be further improved by the use of decorative railings. The tree pit system, which incorporates a root director to encourage the roots to spread down rather than out, should result in less road and pavement "heave".

**Site Visit**

Various dates by Planning Officers. The trees were inspected by the City Council Arboricultural Officer Mick Albans on 5\textsuperscript{th} March 2009, and on 10\textsuperscript{th} December 2009 to inspect some trenches that were excavated by Manorcrest to establish root development.

**Relevant Policies**

Policy 45A – Trees and other Ecological and Landscape Features on Development Sites.
Policy 34 – Design and Amenity Standards.

**Consultations**

No formal consultations are required for this type of submission. However, discussions have been held with the City Council’s Arboricultural Officer and the County Council’s Arboricultural and Highways Officers.

The applicant carried out a pre-application consultation exercise by sending letters to surrounding residents and seeking their comments on the proposed removal and replacement of the trees.

**Responses**

Lincolnshire County Council Arboricultural Officer – proposed removal and replacement of the trees is acceptable subject to species being Lime trees so as to be in keeping with the Lime avenue on Carline Road and use of the Arborsystem tree pit within the footpath.

The following are the responses that the applicant has collated from the pre-application exercise:
6 Carline Road – enquired whether all trees on Carline Road being removed as has a huge tree outside his property which is pulling up the pavement and potentially damaging his property.

Belle Vue Terrace – against the development as a whole and against the removal of the trees.

91 Alexandra Terrace – provided a preference of the species for replanting and enquired whether the screening could include evergreens.

Anonymous – existing trees are in fantastic condition, beautiful and strongly opposed to their removal. Questioned why this wasn’t mentioned in the original application.

**Considerations**

The existing trees provide a significant contribution to the visual amenity of the area, particularly along Carline Road where they form part of the tree lined appearance of the street. The wider area around the site is well treed and the site is seen from more distant views against a back drop of the significant number of trees within the grounds of the Lawn.

The residential development itself will change the character of the area but this has been accepted and the scheme will include significant additional planting within the site which will enhance the leafy character of this part of the hillside.

The existing trees are located within the highway and the management of such trees within an urban environment close to, as it will be, private properties requires careful attention. It is also the case that such trees can suffer from less than ideal growing conditions due to impermeable surfaces around them. It is not normal practice to place a Tree Preservation Order on trees within a highway given the role of the County Council in managing such trees.

The impact to the existing trees were they to remain, both during construction of the development and once occupied, would be significant through the pruning works that would be necessary and the likely harm to the health of the trees in both the short and longer term. The approved development cannot sensibly progress without the removal of the trees.

**Financial Implications**
Potential for costs for County Council from pruning works to the trees and repairs to road and footpath likely to be reduced.

**Legal Implications**
None
Equality Implications
There are no equality implications raised by this proposal which are not considered under other legislation

Conclusion

I am satisfied that the applicant has properly explored the options for the retention of the trees in the highway along Carline Road. The conclusion that has been reached is that the most appropriate long term solution is for the removal of the street trees and their replacement with appropriate species, within a purpose designed planting pit. This would maintain the tree lined appearance of Carline Road over the longer term.

The removal of the trees within the garden of 20 Carline Road is acceptable and they do not warrant protection under a TPO. The landscaping scheme proposed for the wider site more than compensates for the loss of these trees.

The decision that Planning Committee is asked to make is that the trees within the highway and the garden of 20 Carline Road are not made the subject of a Tree Preservation Order. This would be subject to a satisfactory mechanism to secure the replacement of the trees within the Carline Road footpath with 10 Lime trees (Tilia cordata ‘Rancho’ or Tilia cordata ‘Greenspire’) Advanced Nursery Stock (3-5m planted height) using the Arborsystem Tree Pit GR19.

The applicant would be responsible for providing the trees and for the replacement of the trees should any fail within a five year period. We would also look to secure a bond in case the applicant failed to meet these commitments.

Recommendation

That the trees are not made the subject of a Tree Preservation Order subject to a satisfactory mechanism to secure their replacement to the specification proposed above.

Report by: Head of Planning Services
Supporting statement from applicant for pollarding application

Application for Tree Works: Carlion Road, Lincoln

Land between 18a Carlion Road and Liquorice Park

Supporting Statement from Applicant – Manorcrest Homes

Background

Planning permission has been granted for 16 houses and apartments (2005/0517/F) and 3 apartments on the adjacent site (2008/0069/F), as part of which two trees were to be removed. These are labelled 904a and 904b on the attached plan CL02.

It was always understood that piling works would be required to stabilise the hillside before any construction could begin and that the piles would be installed immediately behind the footpath along Carlion Road.

Because of concerns over the long term health and stability of the trees following our site works, a professional arboricultural report to BS5837:2005 "Trees in Relation to Construction" was commissioned. This report concluded that "the physical proximity of the existing crown [to the new buildings], the poor/moderate condition of the trees, the strong probability of rooting down the slope and the increased risk of long-term tree failure, I recommend removing the existing street trees and replanting with more suitable alternatives".

An application was therefore submitted to the City of Lincoln Council to remove the trees, but this was refused and Tree Preservation Orders were placed on the eight street trees. We are advised that the Council will allow pruning and pollarding in order to allow the development to proceed, subject to Committee approval.

Request for Works to Trees Covered by a TPO

We are requesting permission to prune or pollard the trees for the following reasons:

1. Obstruction of groundworks

   To create the row of piling that will stabilise and support Carlion Road and the hillside above it, the piling rigs will have to work from the footpath and will be seriously hampered by the trees. Damage to the branches is inevitable.

   The large amount of soil to be removed from the site will also be done from Carlion Road with a long reach excavator which will not be able to negotiate the trees as they are. If they can be pollarded, this will allow the machinery to work right up alongside the trees.

   Because of the current instability of the site and the sharp angle of the slope it would be prohibitively dangerous to attempt to work from within our boundary and therefore the only feasible method is to work from the road side.
The piling behind the footpath must be contiguous in order to provide the support required. This means that the piles virtually abut each other and therefore if the trees are allowed to obstruct the rig, the development will not be able to proceed.

2. **Obstruction during construction**

The proposed new buildings are immediately adjacent to the pavement, which means that scaffolding will have to be erected to allow access for the bricklayers and other trades. A safe depth for scaffold is 1.8m, which is practically the depth of the footpath and where the trees are in front of those new buildings, they would make it impossible to scaffold correctly. By pollarding the trees we will able to erect the scaffold and create working platforms, albeit they will be narrower than would normally be considered acceptable for working tradesmen.

**Extent of Works**

In order to protect the tree crowns from impact damage while construction plant is manoeuvring and allow the maximum access possible, all trees will need to be pollarded. Photographs of each tree are attached and show the line of pollarding.

We are not applying for any work at the moment to trees T1 and T2 as we will not be carrying out any work in this area for several months.

**Tree Protection**

One of the reasons for applying originally for the complete removal of the trees was that the piling works will require full access to all parts of the site frontage. This means that an exclusion zone is simply not possible as the piling rig will have to work directly adjacent to the trees.

To protect the main trunk from impact, we propose making steel palisade barriers to be bolted together to form 360 degree protection, bolted through the pavement or road for stability. This will keep heavy plant away from the trunk and principal roots and be capable of sustaining light impact without causing percussive damage to the tree.

Soil compaction around roots can lead to damage by asphyxiation. The underlying soil will be protected from compaction by the existing road and footpath and the weight of the machinery will not be sufficient to cause damage to the tarmac or roots below.

**Conclusion**

We have taken care to ensure that the landscaping within our property boundary enhances the leafy character of the area by introducing 25 new trees in the buffer landscaping strip to the rear of the site. Four additional trees are planned for the front aspect, being: Amelanchier lamarkii and 1no. Magnolia x loebneri "Merrill". The landscaping plan also includes numerous evergreen shrubs, climbing plants, rose bushes and flowers.

As stated in our original application for removal of the trees, the top row of contiguous piling will reach depths of up to 13 metres and will be less than 2 metres from the main trunk. Stourton Forestry, who were commissioned at that time to conduct a survey to BS5537 "Trees in Relation to Construction", advised that the piling works could destroy roots and increase the risk of long-term tree failure. Now that the trees are protected by
TPOs we are aware of the penalties for damaging them and must therefore reiterate that we requested the removal of the trees. This was based on consistent advice of the planning officers who acknowledged the need for compromise to achieve the widest possible benefits to the community. Whilst we will endeavour to avoid any damage to the trees we simply cannot guarantee that damage will not occur. Had we been able to give that assurance we would not have worked so carefully with planning officers to seek an alternative solution.

The professional advice of Stourton Forestry recommended the removal of these trees but it is the Council's decision that they are to remain – against their officers’ recommendation. Pollarding is the only option now available to us, but does not negate the factors that informed the original application for removal.

We would reiterate that whilst we will make every effort to protect the trees, we cannot guarantee that accidents will not happen. We will therefore agree to replace any trees that are irrevocably damaged by impact during construction.

However, it must be acknowledged that the Council has chosen to retain the trees in spite of professional advice that they will suffer from the construction activities, and we will therefore not accept any ongoing liability whatsoever for the health or longevity of the trees, nor any damage to roads, footpaths, services or vehicles nor injury to persons caused by the trees, nor contribute to their long term upkeep.

Manorcrest Homes
Tree Ref 903
Application for Tree Works subject to a Preservation Order
Land between 18a Carlisle Road and Liquorice Park

Supporting Statement from Applicant – Manorcrest Homes

Background
Planning permission has been granted for 16 houses and apartments (2005/0517/F) and 3 apartments on the adjacent site (2008/0069/F), as part of which two trees were to be removed. These are labelled 904a and 904b on plan CL01 in Sturton Forestry's report (attached).

It was always understood that piling works would be required to stabilise the hillside before any construction could begin and that the piles would be installed immediately behind the footpath along Carlisle Road.

Recent Developments
Because of concerns over the long term health and stability of the trees following our site works, a professional arboricultural report to BS5837:2005 “Trees in Relation to Construction” was commissioned. This report concluded that “the physical proximity of the existing crowns to the new buildings, the poor/moderate condition of the trees, the strong probability of root lifting up the slope and the increased risk of long-term tree failure, I recommend removing the existing street trees and replanting with more suitable alternatives”.

An application for removal of trees in a Conservation Area was made to Planning Committee on 3 February, but was refused and a Tree Preservation Order was immediately placed on the trees. We would like to request permission to fell trees T1 to T8 for the reasons set out below.

Request for Removal

1. Obstruction of groundworks

The street trees are directly in the way of the development site, permission for which was granted in 2005. Substantial piling works are required to support the hillside above our site and will significantly enhance the stability of the whole area. The piles need to be installed immediately behind the pavement to a depth of approximately 13 metres. It is a contiguous wall of piles, meaning that they virtually abut each other across the entire frontage of the site. The piling rig will be severely hindered by the trees, as will the long reach excavator that will be removing large amounts of soil from the slope to create access for the load bearing piling works.
2. **Obstruction during construction**

The proposed new buildings are immediately adjacent to the pavement, which means that scaffolding will have to be erected to allow access for the bricklayers and other trades. The safe and practical depth for a working platform is 1.2m, which is practically the depth of the footpath. Where the trees are in front of those new buildings, they would make it impossible to scaffold to the correct standards and there is no feasible alternative for the bricklaying.

3. **Long term health and stability of the trees**

Using the BS5837 tree quality table, Stourton Forestry advise that the trees would have rated a Category C (low quality and value) except for their prominent location, which moves them into Category B (moderate). They are described as being generally “in fair/poor physical condition due to the surrounding tarmac surfacing and trunk wounding”.

The new development, being mostly impermeable surfaces, will reduce the amount of moisture and nutrition available to the trees.

The installation of approximately 13m deep piles immediately behind the footpath could damage the root structure, potentially destabilising the trees, as well as curtailing any future root spread.

In their current positions, there is the possibility of further trunk wounding from car doors etc and any deterioration in their health could lead to them becoming unstable and falling onto the road.

4. **Proximity of trees to new properties**

Trees numbered 901, 902, 904, 905, 906 and 908 would be directly in front of the gable ends or overhang/intrude significantly over the newly constructed properties (please refer to drawing number CA-SL-GA-100 Rev A). In order for this not to become a nuisance to the residents, or cause property damage, the trees would need to be pruned regularly, which has cost implications for the County Council.

The extent of that pruning is likely to have a detrimental effect on the aesthetics of the tree as well as its future growth and health.
**Benefits of Removal**

1. The groundworks would be made significantly easier by not having to manoeuvre around the trees, thereby reducing the amount of time required on site and the duration of any road closure.

2. Traditional scaffolding with a satisfactory working platform could be used during construction.

3. All of the street trees removed (with the exception of 904a and 904b) would be replaced by Advanced Nursery Stock trees of approximately 3-5m planted height (subject to the approval of Lincolnshire County Council). The proposed Greenleaf Arborsystem tree pits, as outlined in Stowton’s report, incorporate a root anchoring system, irrigation system and pit drainage. The pit would be filled with good quality topsoil mixed with compost, granular fertiliser and polymer p4 water-retentive granules. This would ensure the new trees get the best chance to establish themselves quickly and provide much needed irrigation for their long term health.

4. The species proposed for the replacements would be chosen for their appearance and suitability for this urban environment. In arriving at our recommended species, we have aimed to find a tree that would be upright and columnar in habit, with a fresh, attractive appearance and seasonal interest. The choice of a fastigate tree would also reduce the amount of pruning required and avoid the need for pollarding in future. Our proposal is set out below under Proposal for Replacement Trees.

5. Being set back from the kerb, the trees are less likely to suffer from traffic damage and this could be further improved by the use of decorative railings, albeit that this would not be in keeping with the rest of Carlisle Road. The tree pit system, which incorporates a root director to encourage the roots to spread down rather than out, should result in less road and pavement "heave" and therefore provide a cost saving to the County Council for repairs.

**Neighbour Consultation**

Conscious of the fact that this development has attracted some criticism, as part of our original application for removal of the trees we wrote to all nearby residents regarding the loss of the trees and sought their comments. Only four responses were received, and these are set out below:

<table>
<thead>
<tr>
<th>Name &amp; Address</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not provided</td>
<td>Existing trees are in fantastic condition – they are beautiful, mature trees and the lady was strongly opposed to their removal. She understood that the permission allowed for one tree to be removed and she thought it was very sneaky to try to get these through now when it was never mentioned in the original.</td>
<td>Slight correction – original permission was for two to be removed.</td>
</tr>
<tr>
<td>Name</td>
<td>Comment</td>
<td>Response</td>
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<td>----------------------</td>
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<tr>
<td>Mr Richards</td>
<td>Asked if all trees on Carline Road were to be removed – he has a huge tree outside his property and has contacted the Council previously about removing it. The tree is too big and is pulling up the pavement and potentially damaging his property. He suggested we should consider suspending the parking further up Carline Road on the Northern side because delivery vehicles already struggled to get through at times.</td>
<td>Advised that it was only the trees in front of our site but we would be happy to include his tree if the Council wished. Advised we would look into this with Highways but our intention was to only use the Yarborough Road end for all vehicle movements.</td>
</tr>
<tr>
<td>Mrs C Knight</td>
<td>Concerned about driven piles causing hillside to collapse. Deeply concerned about the impact of the road closure. Against the development as a whole, and against the removal of the trees. There are several underground springs that could be impacted. Would be contacting Highways about the road closure and researching the proposed replacement types.</td>
<td>Explained in some detail the piling scheme and particularly that they are augered, not driven. Our scheme will have significant benefit to long term slope stability. Advised that road closure will be kept to a minimum and avoided if at all possible. Advised that piling will not prevent water movement through the site. Offered to email pictures of new tree types.</td>
</tr>
<tr>
<td>Helen Townsend</td>
<td>Preference for Carpinus betulus fastigiata Frans Fontaine, being native species. Enquired about screening and whether this could include evergreens. Enquired about our possible use of Liquorice Park for a temporary access and the removal of Blackthorns trees, requested assurances on reinstatement of the land and boundary.</td>
<td>Advised that the proposed buffer planting strip included a number of trees as well as a large number of evergreens. Advised that this was not yet confirmed, but if we were to go ahead, the trees &amp; hedgerow would be replaced like for like at the Trustees' request.</td>
</tr>
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</table>
Proposal for Replacement Trees

As part of the neighbour consultation, various species recommended by the City and County Council and Stourton Forestry were put forward, including maple, lime, cherry, pear, hawthorn, whitebeam and hornbeam. The general consensus appears to be that a single species would be preferable to two or more different types.

We would like to propose that the replacement trees are Carpinus betulus fastigiata Frans Fontaine (hornbeam). This is a native deciduous tree growing up to 20m, with dark green leaves turning golden yellow to brilliant orange in the autumn, with a grey, smooth bark and slender dark brown twigs. It flowers in May-June with catkins and its fruit is produced in the autumn, ripening from fresh green to medium brown [The Woodland Trust – www.british-trees.com].

We would be happy to accept any alternatives that the Council would prefer and understand from discussions following the original application that the Committee favoured Lime trees.

Method of Removal

All of the street trees would need to be removed before piling work could begin. They would be taken down in sections and removed from site. This work can take place within the fenced area that will incorporate the existing parking spaces. All tree stumps would be ground-out to prevent coppice re-growth and the footpath reinstated in accordance with Lincolnshire County Council’s Road Development Specification.
Formal Undertaking

It would be our intention to provide an undertaking to guarantee that the tree replacement would be carried out at the earliest opportunity in full accordance with the detail submitted here and to any specification required by the Council. We would further undertake to be responsible for the replacement of any failed trees within the first five years from planting.

Conclusion

It is regrettable that semi-mature trees should be felled, but the approved development cannot sensibly progress without doing so.

We have taken care to ensure that the landscaping within our property boundary enhances the leafy character of the area by introducing 25 new trees in the buffer landscaping strip to the rear of the site. Four additional trees are planned for the front aspect, being 3no. Amelanchier lamarckii and 1no. Magnolia x loebneri "Merrill". The landscaping plan also includes numerous evergreen shrubs, climbing plants, rose bushes and flowers.

We believe that the introduction of this "avenue" of new hornbeams will complement the smart new facades of our properties and the substantial additional planting will soften the buildings and help them blend effectively into the surroundings.

For the longer term, the new trees will have the benefit of the Arborsystem which will give them the best possible start to allow them to establish quickly and continue to be fed and maintained easily, and being younger than the existing trees, the overall lifespan will extend further into the future. Costs associated with pruning and general maintenance will be greatly reduced, as will the cost of repairs to the road and footpath.

Monorcres Homes