

Barrowford and Western Parishes Committee 12th May, 2016 - Update Report

13/16/0093P – Plots 7, 9, 10 317 Gisburn Road, Barrowford

A Bat Survey has been submitted which addresses the concerns of potential bat roosts in the mature trees on the site. It concludes that bats are very unlikely to roost in these trees and therefore the potential impact on bats would be minimal. Bats and breeding birds are protected under the Wildlife and Countryside Act and Conservation Regulations in any event and if any are discovered on the site they work will cease until a specialist has been consulted.

Comments have been received from PBC Environmental Officer regarding the protected trees on the site. He has raised concerns regarding the date the original arboricultural survey was dated and that the BS 5837 (2012) now supersedes the 2005 version.

The 2012 version includes the potential for larger root protection areas (RPA) and no structures should be located within the RPA regardless of no-dig specifications. The submitted layout shows a RPA of 12m for the largest trees and the three houses are on this limit. The detached garage for plot 9 extends into the RPA.

The tree officer considers that given the age and size of the trees that this 12m distance is not sufficient and that the garage is no longer acceptable in this position.

In my view this is a scheme that has been approved previously on appeal in 2010 and this scheme could have been implemented and constructed as per those plans provided it had lawfully commenced prior to 10th October, 2013. In light of this and given that it less than 3 years ago that the conditions were discharged which included tree protection then it reasonable to presume that the trees have not grown to such a degree as to require the siting of the buildings to be unacceptable.

Further information has been received from the agent stating that the planning conditions which included protective fencing hand digging in the root protection area were agreed with the Tree Officer in September, 2013 and discharged on the 11th October, 2013.

It is very unlikely that the trees have grown substantially within the last three years to impact on the re-submitted scheme and therefore it is difficult to see how this development could have a greater impact upon the trees then it would have done three years ago.

The recommendation is to approve with the suggested conditions detailed in the report.