

Public Document Pack



PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

**TUESDAY 9 APRIL 2024
1.30 PM**

Council Chamber - Town Hall

AGENDA

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Supplementary Agenda

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Emergency Evacuation Procedure – Outside Normal Office Hours

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair. In the event of a continuous alarm sounding remain seated and await instruction from the duty Beadle.

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Committee Members:

Councillors: Iqbal (Chairman), M Jamil (Vice Chairman), W Fitzgerald, Hussain, Sharp, Warren, Jones, Hogg, Bond, C Harper and B Rush

Substitutes: Councillors: G Casey, Allen, Mahmood, Bond and J R Fox

Further information about this meeting can be obtained from Karen Dunleavy on telephone 01733 747474 or by email – democratic.services@peterborough.gov.uk



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CASE OFFICERS:

Planning and Development Team: Jim Newton, Sylvia Bland, James Croucher, Matt Thomson, Asif Ali, Molly Hood, Karen Ip, Connor Liken, James Lloyd, James Croucher and James Melville-Claxton

Minerals and Waste: Alan Jones

Compliance: Lee Walsh

NOTES:

1. Any queries on completeness or accuracy of reports should be raised with the Case Officer, Head of Planning and/or Development Management Manager as soon as possible.
2. The purpose of location plans is to assist Members in identifying the location of the site. Location plans may not be up-to-date, and may not always show the proposed development.
3. These reports take into account the Council's equal opportunities policy but have no implications for that policy, except where expressly stated.
4. The background papers for planning applications are the application file plus any documents specifically referred to in the report itself.
5. These reports may be updated orally at the meeting if additional relevant information is received after their preparation.

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE

9 APRIL 2024 AT 1:30PM

- 1 Procedure for Speaking
2. List of Persons Wishing to Speak
3.
Briefing Update

UPDATE REPORT AND ADDITIONAL INFORMATION

PETERBOROUGH CITY COUNCIL

PUBLIC SPEAKING SCHEME - PLANNING APPLICATIONS

Procedural Notes

1. Planning Officer to introduce application.
2. Chairman to invite Ward Councillors, Parish Council, Town Council or Neighbourhood representatives to present their case.
3. Members' questions to Ward Councillors, Parish Council, Town Council or Neighbourhood representatives.
4. Chairman to invite objector(s) to present their case.
5. Members' questions to objectors.
6. Chairman to invite applicants, agent or any supporters to present their case.
7. Members' questions to applicants, agent or any supporters.
8. Officers to comment, if necessary, on any matters raised during stages 2 to 7 above.
9. Members to debate application and seek advice from Officers where appropriate.
10. Members to reach decision.

The total time for speeches from Ward Councillors, Parish Council, Town Council or Neighbourhood representatives (collectively) shall not exceed ten minutes, or such period as the Chairman may allow with the consent of the Committee.

MPs will be permitted to address Committee when they have been asked to represent their constituents. The total time allowed for speeches for MPs shall not exceed five minutes, unless the Committee decides on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.

The total time for speeches in respect of objectors, applicants, agents or supporters (collectively) shall not exceed five minutes, or such period as the Chairman may allow with the consent of the Committee.

LIST OF PERSONS REGISTERED TO SPEAK

| Agenda Item | Application | Name | Ward Councillor / Parish Councillor / Objector / Applicant |
|--------------------|--|---|---|
| 5.1 | 24/00107/OUT - 25 Nansicles Road Orton Longueville Peterborough PE2 7A | Cllr Heather Skibsted Wayne Farrar | Parish Cllr Agent |
| 5.2 | 23/00852/FUL - Land Adjacent To Magnolia House Old Oundle Road Thornhaugh Peterborough | Cllr Eley John Dickie | Ward Cllr Agent |
| 5.3 | 23/00009/TPO - 7a Maffit Road Ailsworth Peterborough | | |

BRIEFING UPDATE

P & EP Committee 9 April 2024

| ITEM NO | APPLICATION NO | SITE/DESCRIPTION |
|----------------|-----------------------|--|
| 1 . | 24/00107/OUT | 25 Nansicles Road Orton Longueville Peterborough PE2 7AS , Outline application for a 3no. bedroom Chalet bungalow with separate access driveway with all matters secured except landscaping |

Amendment to report

Part b (Design and impact upon the character and appearance of the surrounding area) of the report has been reworded below to clarify what can be dealt with at the outline stage and the reserved matters.

b) Design and impact upon the character and appearance of the surrounding area.

Policy Context

The National Design Guide was adopted in 2021, The National Planning Policy Framework (2023) makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This National Design Guide illustrate how well-designed places can be achieved in practice.

Matters of context are discussed within Paragraphs 38-49 of the National Design Guide (2021), however, Paragraph 43 is most pertinent, which states, 'well-designed new development is integrated into its wider surroundings ... it is carefully sited and designed, and is demonstrably based on an understanding of the existing situation. Patterns of built form ... inform the layout, grain, form and scale [and] the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale, appearance, details and materials of new development.

Discussion

The outline planning permission is for a 3-bed chalet bungalow with access, appearance, layout, and scale secured with landscaping reserved. The submitted plans show the proposal is modest in size and scale in relation to No.25 Nansicles Road, with a proposed footprint of 85sqm which is 0.8sqm greater than No.25. Officers' note that the proposed construction materials are unclear, as brickwork and render is proposed with no detailing on the type and colour, however roof tiles and windows are to be of similar construction to the surrounding area. However as appearance , layout and scale are secured, these are details that cannot be dealt with at reserved matters stage and must be submitted during the outline.

The proposed development by virtue of its siting and design (i.e. a 3 bed chalet bungalow) would fail to respect the established pattern of development and character of the surrounding area, resulting in a form of development which would appear hemmed in and incongruous. The proposal, therefore, would result in overdevelopment of the site and have unacceptable harm to the character, appearance, and visual amenity of the surrounding area. Constructing a new dwelling within the rear garden of No.25 would go against the clear pattern of development and building line of the existing dwellings situated either side of No.25, alongside the resulting plot size would be out of context within the surrounding area.

It should be noted that the Member call-in request outlines that the development would be compliant with Policy LP16, contrary to Officers' view. It is clear that the proposed back land development would go against the clear building frontages along Nansicles Road, due to the back land location. In the Officers' view, landscaping details would not be a reasonable solution to mitigate against this. Whilst Officers understand the roof pitch has been reduced by 0.50m and the pitch from 42 degrees to 35 degrees to reduce overshadowing, this was not a problem identified within the previous application and as stated previously, the exact scale and appearance would be determined at reserved matters stage.

Section 12 of the National Planning Policy Framework (NPPF, 2023) seeks to achieve well-designed places. Specifically, paragraph 134 states that development that is not well designed should be refused, with significant weight applied to local design policies and supplementary planning documents. Footnote 52 makes reference to the National Design Guide, which details those one of the ten characteristics of well-designed places is 'context'. It is not considered that the proposed dwelling would respect the context of the surrounding area given its proposed siting.

As such, the proposed development would be contrary to Policy LP16 of the Peterborough Local Plan (2019) and Paragraph 139 of the NPPF (2023), and the National Design Guide (2021).

| | | |
|-----|--------------|--|
| 2 . | 23/00852/FUL | Land Adjacent To Magnolia House Old Oundle Road Thornhaugh Peterborough , Proposed Cattery, temporary mobile home and small pet crematorium |
|-----|--------------|--|

Independent Consultant's Report

Following the submission of the Committee Report, the independent consultant's report was received. The full report is available to view on the application file 23/00852/FUL, however it concludes the following:

“10.1 The site is the former garden area of an adjacent dwelling, now in separate ownership, and it appears to be large enough to accommodate the proposed infrastructure.

10.2 The financial information presented with the application suggests that levels of profits would be positive, and it would become financially viable in three years. However, to achieve this the unit would have to meet exacting standards of quality to achieve the high prices proposed, though this may be possible.

10.3 With the right investment and skilled operators, the unit could become viable and create at least one full time role. When operating at or near capacity it would provide work for at least one full time worker.

10.4 With the numbers of cats proposed to be housed, when the unit is operating at or near fully it would need an onsite presence to care for the welfare of the cats. An off-site dwelling unless close by would be unlikely to provide the necessary sight and sound care required. It is not entirely clear whether the Magnolia House dwelling will be available to the applicants as a part of the proposal now or in the future.

10.5 The unit would justify an on-site presence when the cattery is built and operational and occupation of any dwelling should be linked to the operation of the cattery and any staff employed in that capacity.

10.6 As such I consider that the operation when established could meet the strict tests of NPPF paragraph 84 and the principles of LP11”

Based on the assessment of the Independent Agricultural Consultant, Officers remain of the position as set out in the Committee Report. This being, the rural location of the business is acceptable and the applicant has provided sufficient evidence to illustrate the cattery and crematorium have the potential to be a viable business, which require an on site presence by one member of staff.

Furthermore, a minor revision was made to the sequential test – the full document is available to view on the application file. Only one site passed the initial sequential test, SHELAA 2115, this site is available to purchase and currently forms a kennels, with cattery. Under further assessment the sequential test ruled the site out, on the basis of the purchase price and necessary modifications to change the kennels into a cattery will then exceed the finances available for the business. Therefore, it was deemed unviable. Officers accept the conclusions reached.

Amendment to Condition 12

Attention is drawn to the alteration of the condition C12 in relation to Biodiversity Net Gain Management. Whilst the Wildlife Officer had requested a condition for 30-year maintenance, upon reflection this application was not subject to the legislative BNG requirements and as such only the 5 year maintenance plan submitted with the application was secured. The condition has therefore changed to a compliance condition.

Full list of Planning Conditions

Pre-commencement agreement has been received for the use of C10 & C13. All conditions are listed in full below:

C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

C 2 The development hereby permitted shall be implemented wholly in accordance with the following drawings and documents:

JDA/2023/635/LA YOUT.001A Proposed Layout and Elevations
JDA/2023/635/SITE.001C Proposed Site Layout
JDA/2023/635/BLOCK.001 Existing Block Plan
JDA/2023/635/DRAINAGE.001 Drainage Layout
JDA/2023/635/OS.001 Location Plan
JDA/2023/635/BIRD AND BAT.001 Proposed Bird and Bat Boxes
JDA/2021/635/SUR.001 Existing Site Layout
JDA/2023/635/COMP .001 Proposed Site Layout
JDA/2023/635/LIGHTING.001A Proposed Site Layout with Lighting
JDA/2023/635/ST A TIC.001A Mobile Home/Static Details
JDA/2023/635/CEMP .001 CEMP/LEMP
JDA/2023/635/HYDRANT.001 Fire Hydrant

Proposed Surface Water Disposal Scheme Rev C
Proposed Foul Water Disposal Scheme
Biodiversity Net Gain Assessment
Construction and Environmental Management Plan (CEMP/LEMP)
Preliminary Ecological Appraisal and Preliminary Roost Assessment
AIA, AMS & Tree Protection Plan
Addfield Odour Statement
Addfield Expected Emission Data
Addfield Manufacturers Declaration
Venta Acoustics Sound Level Measurements
Biodiversity Mitigation and Enhancement Plan
Schedule of Renewable Energy Assets
Plant and Equipment, Air Quality and Noise

Reason: For the avoidance of doubt and in the interests of proper planning.

C 3 The hard landscaping materials shall be carried out in accordance with drawing JDA/2023/635/LA YOUT .001A and JDA/2023/635/SITE.001C dated 15th February 2024 and shall be constructed from the following approved details:

Crossover Access from the highway: Tarmac
Main Internal Roadway: Self Binding Stabilised Gravel
Parking areas: Marshalls Driveline Buff Piora Permeable Pavers
Paths and Patios: Porcelain Slate Grey

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

C 4 The equipment hereby approved shall only be the Addfield PET-200 Cremation Machine as outlined within the Plant and Equipment, Air Quality and Noise document. The machine shall comply to the following odour, noise and emission data:

Addfield Odour Statement
Addfield Expected Emission Data
Addfield Manufacturers Declaration
Venta Acoustics Sound Level Measurements

Reason: To ensure appropriate amenity levels and ensure the machine does not impact local ecosystems or wildlife, in accordance with Policies LP17 & LP28.

C 5 The cattery and crematorium shall only operate between the hours of:

Cattery: 07:30-17:00 Monday - Sundays and Public Holidays

Crematorium: 24 hours per day

Reason: In order to protect the amenity of the area in accordance with Policy LP17 of the Peterborough Local Plan (2019).

C 6 The cattery and crematorium shall be constructed in accordance with drawing JDA/2023/635/LA YOUT .001A dated 15th February 2024 and the following approved details:

Roofs: Standing Seam 'Faux' Zinc where shown

Facing Bricks: Traditional Brick and Stone - Light Amthill Blend in Lime based mortar.

Windows and doors: Anthracite Grey Aluminium

Vertical cladding: Oak boarding

Rainwater Goods: Extruded Aluminium - black

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

C 7 Notwithstanding the submitted details, prior to the occupation of the development a scheme for soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:-

- Planting plans including retained trees, species, numbers, size and density of planting
- Proposed planting plans including trees, species, numbers, size and density
- Position, type and recommended number of any biodiversity enhancements

The soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Development shall be carried out in accordance with the submitted details. Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of visual amenity of the area and the enhancement of biodiversity, in accordance with Policies LP16, LP28 and LP29 of the Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework 2023.

C 8 Prior to the installation of the new vehicular access gate, the details of the gate shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the submitted details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance and safety, in accordance with Policy LP13 and LP16 of the Peterborough Local Plan (2019).

C 9 Prior to the first occupation or commencement of use the area shown for the purposes:

- a) of loading/unloading;
- b) of parking/turning so that vehicles may enter/leave in a forward gear;

shall be provided in accordance with drawing JDA/2023/635/SITE.001C. Such provision shall thereafter be retained for this purpose and not put to any other use.

Reason: In the interests of highway safety, in accordance with Policy LP13 of the Peterborough Local Plan (2019).

C10 The development shall be carried out in accordance with the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan as produced by East Midlands Tree Surveys dated 13th November 2023. The protection measures shall be implemented prior to the commencement of any works on the site, including clearance.

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: In order to protect and safeguard the amenities of the area, in accordance with Policies LP16 and LP29 of the Peterborough Local Plan (2019)

C11 Prior to the commencement of use of the cattery and crematorium, the details of the compensatory planting scheme shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include replacement planting to compensate for the loss of trees NT3, G1 and T589.

The tree planting shall be carried out within the first available planting season following completion of the development. Development shall be carried out in accordance with the submitted details. Should any trees forming part of the approved landscaping scheme that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of visual amenity of the area and the enhancement of biodiversity, in accordance with Policies LP16, LP28 and LP29 of the Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework 2023.

C12 Prior to the commencement of use or within the next available planting season the areas of habitat created for biodiversity within Chapter 4 of the Biodiversity Net Gain Assessment produced by Arbtech shall be implemented. The management of these areas and the other matters such as lighting and hedges shall all be carried out in accordance with the Biodiversity, Mitigation and Enhancement Plan.

The land owners will be responsible for the completion of the management plan.

Reason: In the interests of the conservation and enhancement of biodiversity, in accordance with Policy LP28 of the Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework 2021.

C13 No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the local planning authority in writing. No demolition/development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g., archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy LP19 of the Peterborough Local Plan (2019) and Chapter 16 of the National Planning Policy Framework (2019). This is a pre-commencement condition because archaeological investigations will be required to be carried out before development begins

C14 The location and layout of the surface and foul water drainage strategy shall be carried out in accordance with drawing JDA/2023/635/DRAINAGE.001 and the finer details of the drainage schemes shall accord with supplementary documents 'Proposed Foul Water Disposal Scheme' and 'Proposed Surface Water Disposal Scheme'. The drainage shall be implemented and available for use, prior to the commencement of the cattery, crematorium or mobile home.

Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policy LP32 of the Peterborough Local Plan 2019 and Chapter 14 of the National Planning Policy Framework 2023.

C15 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with, in accordance with Policy LP33 of the Peterborough Local Plan (2019) and paragraph 189 of the National Planning Policy Framework (2023).

C16 During site clearance and construction the works shall be undertaken in accordance with the precautionary measures as outlined with Chapter 4 of the Preliminary Ecological Appraisal as produced by Arbtech dated 13th November 2023 and the Construction Environmental Management Plan JDA/2023/635/CEMP .001 dated 13th November 2024 with supporting document Construction and Environmental Management Plan (CEMP/LEMP). The details shall be available to all contractors present on site.

Reason: In the interests of the conservation and protection of biodiversity, in accordance with Policy LP28 of the Peterborough Local Plan (2019) and Chapter 15 of the National Planning Policy Framework 2021.

C17 The external lighting to serve the building, car park and access route shall be carried out in accordance with drawing JDA/2023/635/LIGHTING.001A. The development shall be carried out in accordance with the approved details and implemented prior to the commencement of use.

Reason: In the interests of visual amenity of the area and biodiversity, in accordance with Policies LP16 and LP28 of the Peterborough Local Plan (2019).

C18 Prior to occupation or commencement of use, details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. These shall be erected in accordance with the approved details and retained in perpetuity.

Reason: In order to protect and safeguard the amenities of the neighbouring occupiers and the visual amenities of the surrounding area in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

C19 The building here by approved shall only be used for the purposes of a cattery and crematorium.

Reason: The assessment has only been carried out on those uses proposed and is the only use deemed to be appropriate for the site, in accordance with the policies LP2, LP13, LP16, LP17, LP28 & LP29 of the Peterborough Local Plan 2019.

C20 The occupation of the mobile home hereby approved shall be limited to the full-time employee for the cattery and crematorium businesses hereby approved and any such immediate family relation, such as dependents.

Reason: The Local Planning Authority would not otherwise have granted permission for a residential dwelling having regard to the location of the site within the open countryside, in accordance with Policies LP2 and LP11 of the Peterborough Local Plan (2019).

C21 The mobile home hereby permitted shall be removed and the land restored to its former condition after three years from the commencement date of the cattery and crematorium business. A scheme detailing the works required to remove the mobile home and restore the land, shall be submitted and agreed in writing with the Local Planning Authority. The scheme of work shall be submitted to the Local Planning Authority at least 3 months prior to the expiry of the date (as above) for the restoration of the site.

Reason: In order to reinstate the original use of the land or site and preserve the visual amenity of the surrounding area, in accordance with Policy LP16 of the Peterborough Local Plan (2019).

C22 The cattery and crematorium shall only be open to the public between the hours of:

Cattery: 10:00-12:00 & 16:00-17:30 Monday - Sundays and Public Holidays

Crematorium: 08:00-18:00

Reason: In order to protect the amenity of the area in accordance with Policy LP17 of the Peterborough Local Plan (2019).

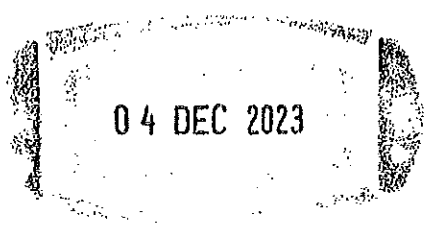
C23 In accordance with drawing JDA/2023/635/HYDRANT.001 a fire hydrant shall be introduced to the site. Prior to the commencement of use, written confirmation shall be submitted to and approved in writing by the Local Planning Authority that the scheme has been implemented in full and is certified as being ready for use.

Reason: In order to ensure that sufficient resources are available for fire-fighting, in accordance with Policies LP16 and LP17 of the Peterborough Local Plan (2019).

| | | |
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| 3. | 23/00009/TPO | 7a Maffit Road Ailsworth Peterborough |
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Appendix 7 Update

Please note - Appendix 7 was missing from the Report, as two Appendix 8 were included in error. Appendix 7 is now available in this Update Report for reference.



Kim Murphy and Gerald Scherrer
1 The Bungalow
Maffit Road
Ailsworth
Peterborough
PE5 7AG

30 November 2023

Head of Planning Services
Peterborough City Council
Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

Dear Sir/Madam

Re: Tree Preservation Order: 23/00009/TPO
Site Location: 7A Maffit Road, Ailsworth, Peterborough, PE5 7AG

We are writing in respect of your letter dated 22 November 2023 to our neighbours at 7A Maffit Road, Ailsworth, Peterborough, PE5 7AG regarding the above Tree Preservation Order. We live at No. 1 The Bungalow, Maffit Road, Ailsworth, Peterborough, PE5 7AG, which is directly opposite 7A Maffit Road.

We have several issues with the tree concerned in the Tree Preservation Order, which we outline below. These observations are particularly noted during the spring, summer and autumn months:-

The tree is growing very tall and very widespread and has now grown across the narrow width of Maffit Road and is bending into our property boundary line. Some of the heavy branches are leaning alarmingly, the tree looms over our bungalow and it sways a lot during periods of high winds. If it continues to grow, it will eventually lean totally over our front lawn and bungalow roof.

When the tree is in full bloom and is heavily laden with leaves during the spring, summer and early autumn it blocks the light in the front rooms of our bungalow.

The leaves from the tree are falling/blowing into the gutters at the front of our property and when it rains the leaves are sticking and remaining in the gutters causing the rainwater in the gutters to not fall away/discharge properly. The leaves are clogging up the gutters which we are constantly having to clear.

Continued

Page 2 (Continued)

We have two conservation walls at the front of our property from the old mining colliery which used to be in Ailsworth. We are concerned that any heavy winds/storm could cause potential damage from the tree to the conservation wall it is bending over.

Some of the branches from the tree have totally obscured the lamp post and light outside No. 7a Maffit Road and the tree is also blocking telephone lines.

As the width of Maffit Road is very narrow and no cars can park either side, lorry drivers, delivery trucks, contractor vans and heavy duty agricultural equipment drivers for the farm at the top of Maffit Road take the opportunity to drive at speed along Maffit Road and the tops of vehicles knock against the lower branches and cause them to fall. We have found branches/twigs on our front lawn and in the road.

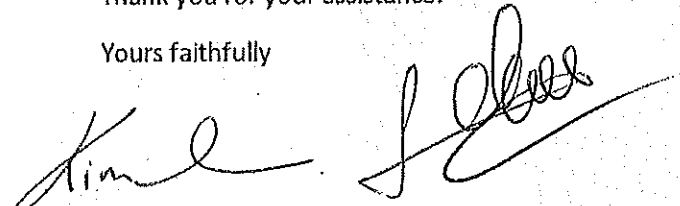
If the tree continues to grow and lean, we are worried that if it were to fall during a storm/bad weather/heavy winds, it could cause serious structural damage to our bungalow, gardens and the conservation wall and injury to ourselves. There is also a potential safety issue when the tree is heavy in full bloom if any semi-broken branches fall on unsuspecting passersby/vehicles during bad weather.

The tree is having a substantial effect on our enjoyment of our property due to its height, width and leaning.

We would be grateful for your response to our concerns.

Thank you for your assistance.

Yours faithfully



Kim Murphy and Gerald Scherrer