Cc:	Planning (SMDC)
Subject:	SMD/2016/0423 - Blakeley, Reacliffe Road, Rudyard
Date:	21 February 2017 17:48:15

Arne,

I have the following comments on this application:

The application site lies fully within the extent of Woodland W2 protected under TPO No. LR.8. The nature of a woodland designation such as this under a TPO is that the protection and provisions of the Order relate to any tree of any age, size or species which is growing within the defined extent of the woodland, including those (present or future) which may be planted or self-set within the woodland after the TPO was made. There are evidently a good number of existing trees on the site, which are therefore protected.

The application is for a lawful development certificate, seeking confirmation that the existing chalet building on the site should be regarded as a lawful dwelling house. The application does not in itself propose any new physical development or engineering operations, nor any alterations to the existing building. Given the aged and somewhat basic character of the existing building, it may be anticipated that such development or redevelopment proposals may well follow at some stage, but in terms of dealing with the present lawful development certificate application on its merits I consider that it would not in itself have detrimental impact on trees nor create undue additional pressure for felling or lopping of trees.

It is noted that the application location plan appears also to include a large (c.1.0ha) detached area of woodland to the south-west of Reacliffe Road, in addition to the elongated plot between the road and the lake shore containing the existing building. Whilst this still raises no concerns regarding impact on trees, I would suggest that it would not be appropriate to regard the 1ha woodland area as residential/domestic curtilage.

In conclusion I have no objection to this lawful development certificate application.

Tree protection conditions would not be required in the event that the certificate is granted. However, I would suggest that the following informative be included on the decision notice if the application is approved:

“The applicant is advised that the entire application site, including the woodland plot on the south-west side of Reacliffe Road, lies within the extent of Woodland W2 protected under Tree Preservation Order No. LR.8, with the protection and provisions of this Order applying to all present and future trees of whatever age, size or species. The lawful development certificate hereby granted does not override the provisions of the Tree Preservation Order, and therefore the consent of the local planning authority would be required in order to carry out any pruning or felling operations to protected trees, other than where any statutory exemptions may apply, as set out in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.”

Steve Massey

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