



Park End  
Hall Lane  
STAVELEY LA8 9QY  
FAO Mr Matthew Flynn

Please Contact: Chloe Unsworth  
Officer Tel No: 07823825302  
My Ref: 4/20/2402/TPO  
Date: 25 November 2020

Dear Sir/Madam

**FELLING OF TWO OAK TREES AND LIMB REMOVAL ON ANOTHER OAK TREE PROTECTED BY A TREE PRESERVATION ORDER**  
**3 FLEATHAM GARDENS, HIGH HOUSE ROAD, ST BEES**

I refer to your application of 08/10/2020 under the above Tree Preservation Order for consent to carry out the following work:-

**FELLING OF TWO OAK TREES AND LIMB REMOVAL ON ANOTHER OAK TREE PROTECTED BY A TREE PRESERVATION ORDER**

I would confirm that the following works are considered to be unacceptable to the Local Planning Authority and consequently this part of your application has been **REFUSED** for the following reasons:

APPLICATION TREE NO.	SPECIES	PROPOSED WORKS	REASON FOR REFUSAL
1	Oak	Fell	The trees provide significant visual amenity contributing to the well tree'd character of the location. They are mature specimens visible to the public and provide a pleasant backdrop to the dwellings on High House Road and help screen the new dwellings in Fleatham Gardens. The proposed works are not supported by written arboricultural advice or other diagnostic information from an appropriate expert demonstrating the risk of failure. The loss of the trees would have a negative impact on the visual amenity of the location and wider conservation area and its enjoyment by the public.
2	Oak	Fell	

3	Oak	Remove lowest limb over garden	The proposed works are excessive and could affect the structural integrity and sustained growth of the tree. The works are contrary to current best practice as set out in section 7 Pruning and related work of British Standard BS 3998:2010 Tree work – recommendations. No reasons to support the proposed removal of the branch to demonstrate the benefits of the removal of the limb outweighs the harm it will cause, have been provided.
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For the reasons detailed above, our arboriculturist has recommended this part of the application for refusal. For your information a copy of the Council's Consultant Arboriculturalist's report is enclosed.

#### **Informative note to the applicant**

The removal of dead wood from a living tree does not require the consent of the council and can be undertaken your convenience. It should be noted that the exception applies only to dead wood, and an application would be required to remove any living wood.

#### **Your Right of Appeal**

If you disagree with our decision you can appeal to The Planning Inspectorate, Environment and Transport Team, 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN within 28 days from the date you received this decision.

#### **Compensation**

If you suffer any loss or damage as a result of a condition attached to this consent, you might be entitled to recover compensation from the Council. If you wish to make a claim you must do so within 12 months from the date of this decision (or, if you appeal to the Secretary of State, within 12 months from the date of this decision). Claims should be made in writing to the Development Control Manager, Copeland Borough Council, The Copeland Centre, Catherine Street, Whitehaven, Cumbria, CA28 7SJ.

If you have any queries please do not hesitate to contact the case officer Chloe Unsworth on 07823825302.

Yours faithfully



Pat Graham  
Chief Executive

