

NORTH HERTFORDSHIRE DISTRICT COUNCIL

LICENSING AND APPEALS COMMITTEE

**Minutes of a meeting held in the Council Offices, Gernon Road, Letchworth Garden City
on 29 January 2008 at 7.30p.m.**

MINUTES

PRESENT: *Councillors: Peter Burt (Chairman), David Barnard, Paul Clark, Joan Kirby and Michael Weeks.*

IN ATTENDANCE: *Planning Control and Conservation Manager, Senior Lawyer, Senior Planning Officer and Committee and Member Services Officers.*

ALSO PRESENT: *One member of the public (Occupier of 41 High Street, Codicote).*

4. APOLOGY FOR ABSENCE

An apology for absence was received from Councillor Simon Bloxham.

5. PROCEDURE

The Chairman ascertained that all parties present were satisfied to adhere to the suggested procedure as circulated with the agenda for the meeting.

6. TREE PRESERVATION ORDER REF. NO. 170 – THE WHITE HOUSE, 41 HIGH STREET, CODICOTE, HERTFORDSHIRE SG4 8XB.

In accordance with the agreed procedure, the Chairman established that the following people were appearing before the Licensing and Appeals Committee:

Officers: Mary Caldwell – Planning Control and Conservation Manager.
Naomi Gould – Senior Planning Officer

The Licensing and Appeals Committee received a report of the Head of Planning and Building Control presented by the Senior Planning Officer which summarised the background to the placing of a provisional Tree Preservation Order (TPO) on the Beech tree at The White House, 41 High Street, Codicote SG4 8XB, following receipt of a Section 211 Notice for the removal of this tree in a Conservation Area. A provisional Tree Preservation Order was made in respect of one beech tree on 31 July 2007 and that the six month period available to the Local Planning Authority for the confirmation of a TPO would expire on 31 January 2008. The Senior Planning Officer confirmed that the owners of the land and local residents were given notice of the provisional order and advised of the 28 day response period.

The Senior Planning Officer advised the LAC of the representations made to the local planning authority by the resident at 43-45 who objected to the TPO.

The Chairman and Members of the Committee then put questions to the Planning Officer on the points raised in the report as matters of fact.

The Senior Planning Officer referred the LAC to the Independent Arboricultural Consultant's report which confirmed to the Head of Planning and Building Control that there was no good reason to prevent confirmation of a TPO and NHDC Building Control had confirmed that the removal of this Beech Tree could cause clay heave and could in turn cause problems with foundations and floors due to uplift forces. This

opinion was supported by Councillor David Barnard in that several hundred gallons of water would be drawn up by the Beech Tree from the water table each day and heave would be very likely.

The Chairman then gave the Senior Planning Officer the opportunity to make a final statement to the LAC.

Members of the Licensing and Appeals Committee gave their views and decision regarding the application in open forum.

The Chairman proposed and it was agreed that the Planning Control and Conservation Manager should commission the independent Arboricultural Consultant to provide an opinion as to whether common ivy (*hedera helix*), was detrimental to the health of a tree or not. This request was made as photographs of the beech tree available at this meeting had shown a considerable amount of common ivy growth on the trunk of the tree.

RESOLVED: To determine and confirm the provisional tree preservation order made on 31 July 2007 as set out in the report of the Head of Planning and Building Control and as indicated in the following schedule:

Reference Number	Description of Development and location	Decision
TPO 170	THE WHITE HOUSE, 41 HIGH STREET, CODICOTE, HERTFORDSHIRE – CONFIRMATION OF TREE PRESERVATION ORDER 170 RELATING TO ONE BEECH TREE	Confirmed (as per report)

The meeting closed at 7.45 p.m.

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Chairman