

**TABLED UPDATE FOR ITEM 2.3
19/505038/OUT– The Lion, 2 Church Street**

1. Further to the committee report at pages 39 to 58 of the Agenda, the Councils Tree Officer has provided advice regarding the existing mature tree adjacent to the southern boundary. The tree has been identified as an Atlas Cedar tree, and is shown to be retained on the submitted proposed ground floor plan (drawing no. 5226/PL/100) and condition (5) seeks the retention of this tree. The Tree Officer has advised the tree appears to be of good amenity and condition, and recommends an additional condition (25) seeking details of tree protection and arboricultural method statement. The Tree Officer outlines that parking bay 17 should be removed from the proposed layout as it is situated under the crown of this tree which may lead to post development pressure for its removal or pruning due to the fear of falling branches and debris. The scheme seeks outline planning permission with all matters reserved and therefore officers are satisfied that a design solution can be found to ensure that the building works (including the car parking) are kept sufficiently far from the tree, and conditions (5) and (25) will ensure the tree is retained.

It is recommended that an additional condition (no. 25) could be applied as follows;

“No development shall take place until details of tree protection and arboricultural method statement in accordance with the current edition of BS 5837 have been submitted to and approved in writing by the local planning authority. All trees to be retained must be protected by barriers and/or ground protection and erected before any equipment, machinery or materials are brought on to the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the tree protection areas in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. The approved details shall be fully implemented prior to the commencement of any development including demolition and retained thereafter until completion of the development.

Reason: These details are provided pre commencement of development to safeguard existing surrounding trees to be retained and to ensure a satisfactory setting and external appearance to the development”

2. The recommendation at section 11 on page 52 should be amended to read;

“GRANT Subject to the following conditions and suitably worded Section 106 Agreement, to cover the matters itemised at paragraph 9.35 to 9.38 above, (including authority to make such minor amendments to the wording of the legal agreement and the conditions as may reasonably be required):”
3. Recommendation: planning permission to be granted subject to conditions as set out in report, additional condition (25) as set out in this tabled update, and to the signing of a suitably-worded section 106 agreement to secure developer contributions as itemised at Paragraph 9.35 to 9.38 of the committee report on pages 50 and 51.