

Craven District Council

Bentham Parish

TREE PRESERVATION ORDER
No 51 1989



TOWN AND COUNTRY PLANNING ACT 1971

CRAVEN DISTRICT COUNCIL - TREE PRESERVATION ORDER No. 51, 1989

The Craven District Council in this order called "the authority", in pursuance of the powers conferred in that behalf by sections 60 and 61 of the Town and Country Planning Act, 1971, and subject to the provisions of the Forestry Act, 1967, hereby makes the following order:-

1. In this Order -

"the Act" means the Town and Country Planning Act, 1971;

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more; and a mortgagee in possession; and "the Minister" means the Secretary of State for the Environment.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, uproot, wilfully damage or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3. An application for consent made to the authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4. (1) Where an application for consent is made to the authority under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent:

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

NOTE: If it is desired to fell any of the trees included in this Order, whether included as trees, groups of trees or woodlands, and the trees are trees for the felling of which a licence is required under the Forestry Act, 1967, application should be made not to the authority for consent under this Order but to the Conservator of Forests for a licence under that Act (section 15(5)).

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5. Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied:-

- (a) that the refusal or conditions is in the interests of good forestry;
or
- (b) in the case of trees, other than trees comprised in a group of trees or in a woodland, that the trees have an outstanding or special amenity value;
or
- (c) in the case of trees which are comprised in a group of trees or in a woodland, that the group of trees or the woodland, as the case may be, has an outstanding or special amenity value,

but a certificate shall not be given in the case of trees falling within (c) above if the application in respect of them has been referred by the Forestry Commissioners under section 15(1)(b) or 15(2)(a) of the Forestry Act 1967.

6. (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless -

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Minister dispense with replanting,

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order replant the said land in accordance with the direction.

(2) Any direction given under para. (1) of this Article may include requirements as to -

- (a) species;
- (b) number of trees per acres;
- (c) the erection and maintenance of fencing necessary for protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7. On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by a water authority, or drainage board, restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws, and that any such condition or direction has effect subject to the requirements of the water authority or drainage board, under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such

consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage.

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article account shall be taken of:

- (a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under section 60 of the Act or under the terms of any Interim Preservation Order made under section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
- (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11. (1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the Clerk thereof or by sending it by prepaid post so addressed.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of section 179 of the Act.

13. The provisions of section 61 of the Act, shall apply to this Order and the Order shall take effect on the *24 June 1989*

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding £2,000 or twice the sum which appears to the court to be the value of the tree, whichever is the greater, or an indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding level 4 on the standard scale (currently £1,000) on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If any tree in respect of which a Tree Preservation Order is for the time being in force is removed, uprooted or destroyed in contravention of the Order or, except in the case of a tree to which the Order applies as part of a woodland, is removed, uprooted or destroyed or dies at a time when its cutting down or

uprooting is authorised only by virtue of section 60(6) of the Town and Country Planning Act 1971 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispenses with the requirement, to plant another tree of an appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than five days previous notice of the removal etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirement.

In respect of trees in a woodland, it shall be sufficient to replace the trees removed, uprooted or destroyed by planting the same number of trees either on or near the land on which the trees removed, uprooted or destroyed stood or on such other land as may be agreed between the local planning authority and the owner of the land, and (in either case) in such places as may be designated by the local planning authority.

First Schedule

Trees Specified Individually
(encircled in black on map)

None

Trees Specified by Reference to an Area
(within dotted black line on map)

<u>No. on Map</u>	<u>Description</u>	<u>Situation</u>
Area 1	Trees consisting of pine, sycamore, beech, horse Chestnut, ash and an avenue of mainly lime	Land between Doctor's Hill and Ellergill Low Bentham, including the avenue of trees lining the driveway to the existing house O.S. 6469 NGR 6510 6955

Groups of Trees
(within broken black line on map)

None

Woodlands
(within continuous black line on map)

None

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to

- (1) the cutting down of any trees on land which is subject to a forestry dedication covenant where
 - (a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;
 - (b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.
- (2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under section 4 of the Forestry Act 1967 except a scheme which applies to a forestry dedication covenant
 - (3) the cutting down, uprooting, topping or lopping of a tree
 - (a) in pursuance of the power conferred on the Postmaster General by virtue of section 5 of the Telegraph (Construction) Act 1908;
 - (b) by or at the request of
 - (i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (ii) an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;
 - (iii) a river authority established under the Water Resources Act 1963, a drainage board constituted or treated as having been constituted under the Land Drainage Act 1930, where the tree interferes, or would interfere, with the exercise of any of the functions of such river authority or drainage board in relation to the maintenance, improvement or construction of water courses or of drainage works; or
 - (iv) the Minister of Defence for the Royal Air Force, the Minister of Technology or the Board of Trade where in the opinion of such Minister or Board the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;
 - (c) where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of that Part;
 - (d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden.

THIRD SCHEDULE

Provisions of the following parts of Part III of the Town and Country Planning Act 1971 as adapted and modified to apply to this Order.

33. (1) Without prejudice to the following provisions as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except in so far as the consent otherwise provides), enure for the benefit of the land and of all persons for the time being interested therein.
35. (1) The Secretary of State may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.
35. (2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.
35. (3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.
35. (4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to an application which falls to be determined by the authority.
35. (5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
35. (6) The decision of the Secretary of State on any application referred to him under this section shall be final.
36. (1) Where an application is made to the authority for consent under the Order and that consent is refused by that authority or is granted by them subject to conditions, or where any certificate or direction is given by the authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed if he is aggrieved by the direction, may by notice under this section appeal to the Secretary of State.
36. (2) A notice under this section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Minister may allow.
36. (3) Where an appeal is brought under this section from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance.
36. (4) Before determining an appeal under this section, the Secretary of State shall, if either the appellant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
36. (6) The decision of the Secretary of State on any appeal under this section shall be final.

37. Where an application for consent under the Order is made to the authority, then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority either -

- (a) give notice to the applicant of their decision on the application; or
- (b) give notice to him that the application has been referred to the Secretary of State in accordance with directions given under section 35 above;

the provisions of the last preceding section shall apply in relation to the application as if the consent to which it relates had been refused by the authority, and as if notification of their decision had been received by the applicant at the end of the said period of two months, or at the end of the said extended period, as the case may be.

45. (1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as they consider expedient.

45. (2) Subject to the provisions of sections 46 and 61 of the Act, an Order under this section shall not take effect unless it is confirmed by the Secretary of State; and the Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

45. (3) Where an authority submit an Order to the Secretary of State for his confirmation under this section, the authority shall furnish the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order, and if within the period of twenty-eight days from the service thereof any person on whom the notice is served so requires, the Secretary of State before confirming the Order, shall afford to that person, and to the authority, an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

45. (4) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed:

Provided that the revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

46. (1) The following provisions shall have effect where the local planning authority have made an Order (hereinafter called "such Order") under section 45 above revoking or modifying any consent granted on an application made under a tree preservation order but have not submitted such Order to the Secretary of State for confirmation by him and the owner and the occupier of the land and all persons who in the authority's opinion will be affected by such Order have notified the authority in writing that they do not object to such Order.

46. (2) The authority shall advertise the fact that such Order has been made and the advertisement shall specify (a) the period (not less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose and (b) the period

(not less than 14 days from the expiration of the period referred to in paragraph (a) above) at the expiration of which, if no such notice is given to the Secretary of State, such Order may take effect by virtue of this section and without being confirmed by the Secretary of State.

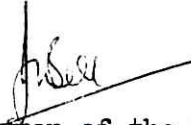
46. (3) The authority shall also serve notices to the same effect on the persons mentioned in subsection (1) above.

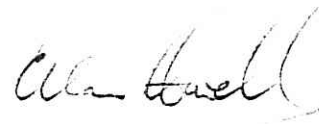
46. (4) The authority shall send a copy of any advertisement published under subsection (2) above to the Secretary of State, not more than three days after the publication.

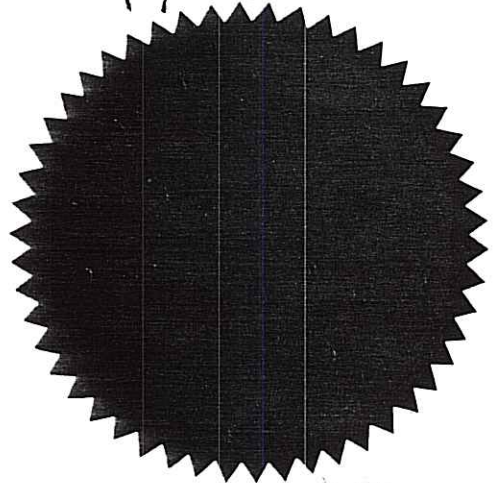
46. (5) If within the period referred to in subsection (2)(a) above no person claiming to be affected by such Order has given notice to the Secretary of State as aforesaid and the Secretary of State directed that such Order be submitted to him for confirmation such Order shall at the expiration of the period referred to in subsection (2)(b) of the section take effect by virtue of this section and without being confirmed by the Secretary of State as required by section 45(2) of the Act.

46. (6) This section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III or Part IV of the Act.

Given under the common seal of the Craven District Council this 23rd
day of June in the year nineteen hundred and eighty nine

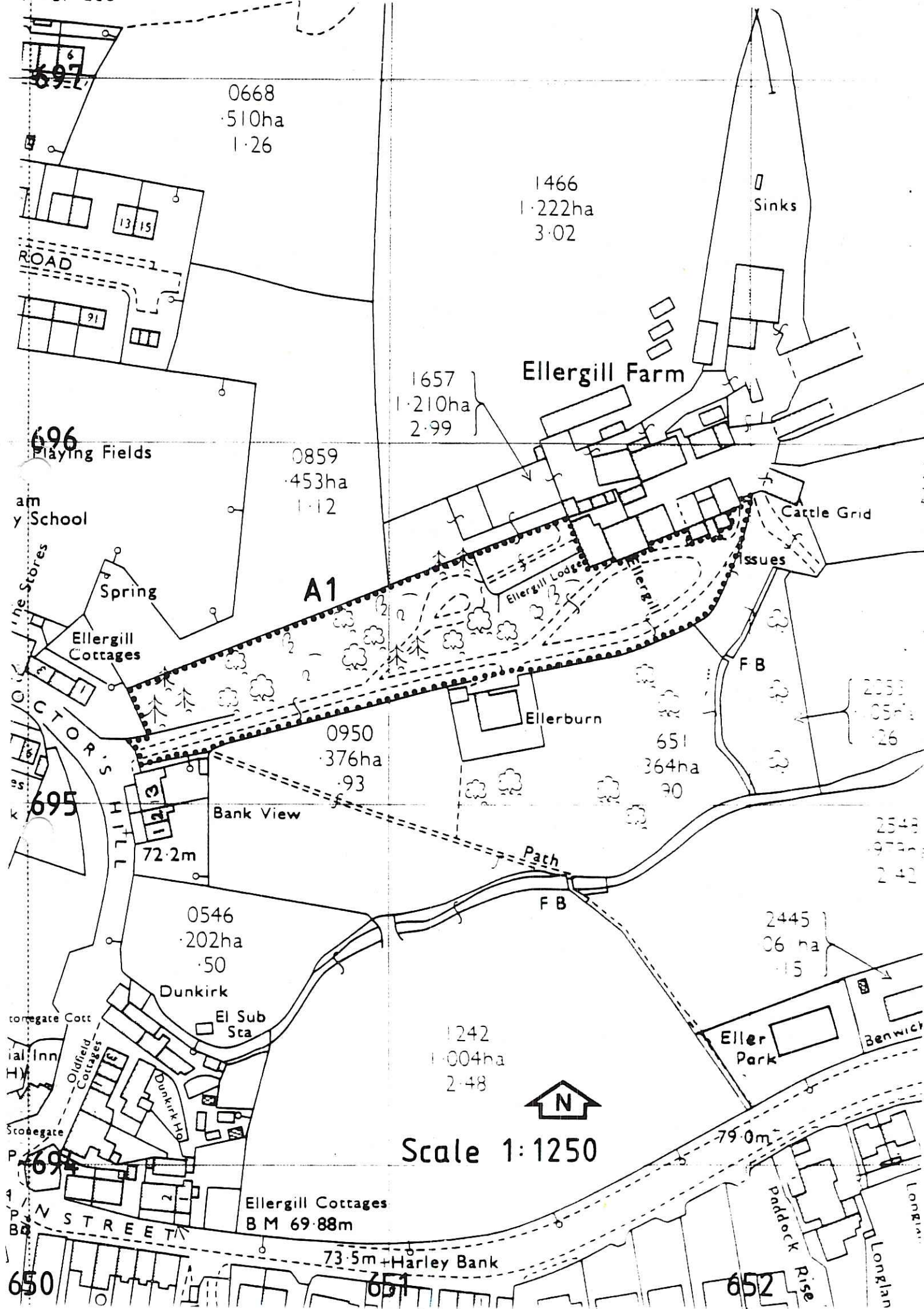

Chairman of the Council


Clerk of the Council



The protected area includes an avenue of trees lining the driveway to Ellergill and Ellergill Farm from Doctor's Hill which constitutes a significant landscape feature in its own right, and an important part of the setting of the Grade II listed building.

The trees in the remainder of the area also have sufficient amenity value to warrant protection from any risk of indiscriminate felling which may be implicit in recent proposals (planning permission for which has been refused by the Council) to carry out development in or close to the protected area.



0668
510ha
1.26

1466
1.222ha
3.02

1657
1.210ha
2.99

0859
453ha
1.12

A1

0950
376ha
.93

651
364ha
90

2058
105ha
26

2348
970ha
2.42

2445
06ha
15

1242
1.004ha
2.48



Scale 1:1250

Ellergill Cottages
B M 69.88m

73.5m + Harley Bank

79.0m

ROAD

696
Playing Fields

am y School

the Stores

Spring

Ellergill Cottages

CTOR'S

695

72.2m

Bank View

Path

FB

tonegate Cott

ial Inn

Scotegate

694

N STREET

650

651

652

Eller Park

Benwick

Paddock

Rise

Longlan

Chartered Architects
China Street Lancaster LA1 1EX
Tel 0524 60521 Fax 0524 65009

J O H N · M O O R E
& · P A R T N E R S
A R C H I T E C T S

L.1513/JHM/alf Your ref. T/JH/66/6

11th August 1989

Craven District Council,
District Solicitor,
Council Offices,
Granville Street,
SKIPTON,
North Yorkshire. BD23 1PS

Dear Sirs,

Tree Preservation Order No. 51 1989 - Ellergill

We thank you for your letter of 26th July and note what you have to say.

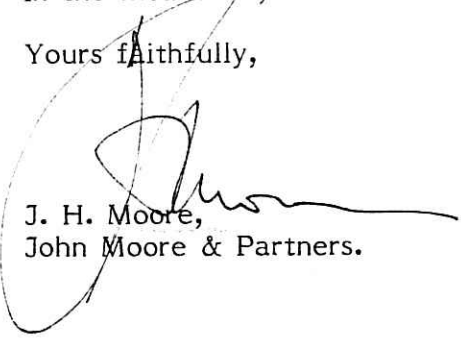
You require a tree preservation order and we, in principle, agree that one should be confirmed. However, we do not think it is appropriate to apply a blanket order, when it is quite possible and we feel appropriate for you to identify the specific trees and their location. With regard to the thinning out, we require to agree this now and commence the work either now or in spring 1990, and we feel this is not too far in advance.

Whilst shrubs are excluded from any order, it is not clear to us when a "shrub" becomes an "ornamental tree" and we particularly would wish these to be excluded from any order.

With these points in mind, we confirm that you should proceed with the preparation of a plan in order that we can meet on site with you and identify (and hopefully agree) a precise proposal and take this opportunity while the property is currently in one ownership.

In the meantime, our clients do not wish to withdraw their objections.

Yours faithfully,


J. H. Moore,
John Moore & Partners.



CRAVEN DISTRICT COUNCIL

EN

MEMORANDUM from District Solicitor

Date: 26th July, 1989

To: Chief Planning Officer

Our Ref: T/JH/66/6

Your Ref: EN

Tree Preservation Order No. 51, 1989

... I attach copies of a letter (3/7/89) from a Mr. Fletcher on behalf
... of Clifford Hall Properties Ltd., and of my reply to him today. Given
the form of the Order (protecting trees by reference to the defined
area) I think it will be best from a procedural point of view, if
any thinning needs to be done in the near future, for this to be dealt
with by way of an application for permission to fell, rather than by
objection to the precise terms of the Order as now made.

Encl:

No.
Replied
Passed on to by
PMO

R. T. G. G. G.



MT

66/6

CLIFFORD HALL PROPERTIES LTD

Market Place
Kirkby Lonsdale
LA6 2AN

L.1412/JHM/alf

3rd July 1989

Craven District Council,
P.O. Box 19,
Granville Street,
SKIPTON,
North Yorkshire.
BD23 1PS

Dear Sirs,

Tree Preservation Order No. 51 (1989)

We have your notice dated 29th June 1989.

It should be understood from the outset that we agree that it is desirable that a Tree Preservation Order in some form should be put in place, but unfortunately, we must object to the blanket nature of your proposal. In order to understand our objection, it is necessary to appreciate the history.

In the late 1950's, a large portion of the site was covered by limes and elms which were felled and the area was replanted. It is self-evident that a proper programme of thinning out should be undertaken to ensure the proper development of the avenue of limes leading to "Ellergill" and we must respectfully ask that this is dealt with and agreed prior to the order being formed. Likewise, the map accompanying the order indicates that the whole of the formal garden up to the front elevation of "Ellergill" is included and, as this area contains several ornamental trees, we feel that at least in this area, the order ought to be more selective and specific.

We trust you will take these observations on board as being constructive as we have no wish to see anything other than a landscape with an assured future.

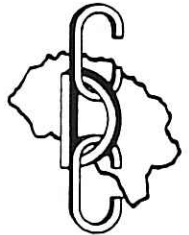
We would very much welcome an early meeting on site to discuss, and hopefully agree the two issues raised in this letter.

Yours faithfully,



E. J. Fletcher,
for Clifford Hall Properties Ltd.

CRAVEN DISTRICT COUNCIL



P. T. GARDNER, B.A.
District Solicitor
Council Offices, Granville Street,
Skipton, North Yorkshire, BD23 1PS
Telephone: Skipton (0756) 2304

Our Ref: T/JH/66/6

Your Ref: L/1412/JHM/alf

Date: 26th July, 1989

Dear Sir,

Tree Preservation Order No. 51, 1989

I acknowledge receipt of your letter of 3rd July, and apologise for not having done so earlier.

The objections put forward on behalf of your company are duly noted, and the Order will not be confirmed, either as it stands or with modifications, until those objections have been considered (unless in the meantime you decide to withdraw them).

I am pleased to note your assurance of your company's concern to preserve the character of the landscape in this area, and that you are not against the making of a Tree Preservation Order in principle. I do not know how familiar you are with the statutory scheme of controls over the felling of, and other works on, trees, but in case it may be of some help or interest I enclose a copy of the D.o.E. leaflet "Protected Trees" which outlines these controls in rather more readable terms than the prescribed form of Tree Preservation Order.

I think it is right to say that the expectation that some of the trees will need to be thinned out, or otherwise worked upon, in years to come is not really a sound basis for seeking a modification of the Order at this stage. The appropriate course, as I see it, would be for your company (or its successors as owners of the land) to apply to the Council for permission to carry out thinning etc. as and when the need for such operations arises. There is no fee on applications of this kind. The matter could then be judged on its merits, i.e. according to whether the proposed work would or would not promote the long-term health and amenity value of the trees as a whole, or whether there is any other over-riding justification for allowing specific works to be done. You will see from the leaflet that the Council does not have the last word on applications to work on protected trees: if the Council refuses permission you can appeal to the Secretary of State for the Environment, and have the merits of the case considered again by one of his inspectors.

Contd./.....

It seems important that schemes for thinning out trees should not be agreed upon too far in advance, because they may then be overtaken by subsequent events - the death of, storm or accident damage to, or development of disease in, one or more of the trees which were intended to be retained.

I am not entirely clear as to what you are suggesting in relation to the ornamental trees in the formal garden - are you asking that some or all of these be excluded from protection?

I look forward to hearing from you as to whether you wish to pursue the points you have made as objections to the Order as now made or whether, in the light of the information I have given, you can withdraw them.

If you would still like to discuss specific points on site, please contact Mr. E. Nutton in the Council's Planning Department (at these offices), to whom I am passing copies of this correspondence for information.

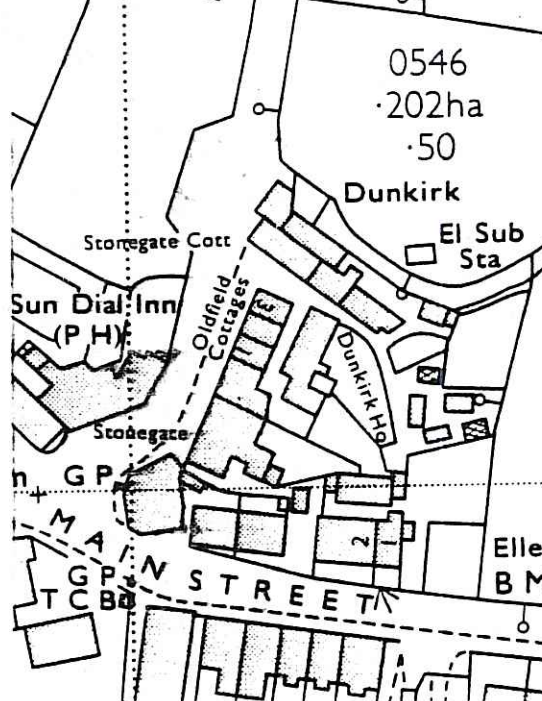
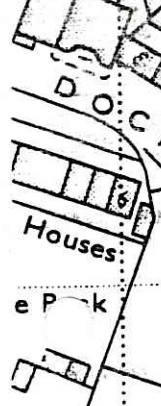
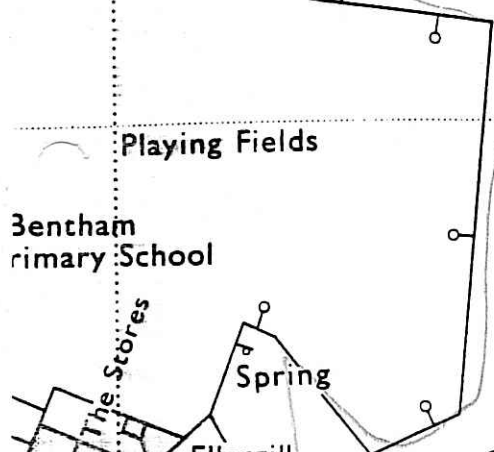
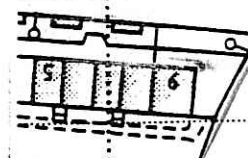
Yours faithfully,

District Solicitor

Encl:

E.J. Fletcher, Esq.,
Clifford Hall Properties Ltd.,
Market Place,
Kirkby Lonsdale,
CARNFORTH,
Lancs.
LA6 2AN

field Terrace



0668
510ha
1.26

Lancaster 0524
60521

0859
453ha
1.12

0950
376ha
.93

0546
202ha
.50

1466
1.222ha
3.02

1657
1.210ha
2.99

Ellergill Farm

Ellerburn

1651
364ha
.90

1242
1.004ha
2.48

2445
061ha
.15

Eller Park

73.5m+ Harley Bank

79.0m+

Paddock Rise

Stifford Hall & Kerpures
Kerby lands
Ruff Eglum
John Moore
Archibald
Lancaster
China Creek
Lancaster

Philippa Boothman

Sinks

Cattle Grid

Issues

F B

Path

F B

2
.9
2

Be

John Moore
& Partners
Chartered Architects

Mr. Hecker.

Send I.P.O. No.

Clifford Hatt Properties

55 Main St

Kirkby Konsdale

LA 6 2AM

Stanley

Kilgerriff - Low Bentham.

10 metre band of trees on North side of
access road - Sycamore, Beech, Silver Birch,
Birch, Rowan, Hawthorn. 1 Holly at entrance.

Three or four dead but remainder nice trees.

Single line of trees with mature Hawthorn
on south side.

A.P.O. required.

TPD with immediate
effect.

- | | |
|-----------|--|
| 5/8/451 | 1 dwelling in area to rear of Kilgerriff Cottages |
| 5/8/451/A | 2 dwellings larger area on northern side +
1 dwelling in south paddock. |
| 5/8/454 | 2 dwellings in kitchen garden area of farm |

EN/IM/8

Mr E Nutton

17th April 1989

John Moore & Partners
Chartered Architects
Cina Street
Lancaster

Dear Sir

ELLERGILL FARM, LOW BENTHAM

In confirmation of telephone conversation with Mr Fletcher on 14th April 1989. I wish to inform you that on Monday 10th April 1989, the District Planning Committee placed an immediate Tree Preservation Order on the group of trees from the entrance to Ellergill Farm up to and including the driveway area of the farm house. Site plan attached, area marked in red.

The formal documentation will be forwarded in the near future, but should you require any further information my office will be pleased to assist.

Yrs faithfully

Chief Planning Officer

EN

Ref: 11/4/06

Mokume
Hawthorn hedge
on right to open
fence
Avenue of trees

Lower Streakber,
58, Robin Lane,
Bentham,
Lancaster, LA2 7AG.

4th April, 1989

S. Briggs, MBIM, MBIAT, AMAIS(TP),
Chief Planning Officer,
Craven District Council,
Granville Street,
Skipton, BD23 1PS.

3 dead up with
side of road way
up to

Lycamore
Beech
Lycamore Beech
fir
Hawthorn
Rowan

1 Holly at
entrance

Dear Stanley,

With a number of Planning Applications being presented in the vicinity of Ellergill, Low Bentham, I am concerned about the rather fine avenue of trees up to the existing house and I believe it would be wise to put a Tree Preservation Order on these. I should be grateful therefore if this could be initiated.

Yours sincerely,

R.E.H. Atkinson,
District Councillor.



No. 2475.89
Replied
Passed for Filing by
File

Eric, this is being placed on Agenda
for 10 Apr. Might you have chance to have a look before then?

5/8/451/A

5/4

3 dwellings
- 1 dwellings

- 2 dwellings