# ST ALBANS DISTRICT COUNCIL TECHNICAL APPLICATIONS REGISTERED WEEK ENDING 30/09/2022

#### Call-In requests should be sent by the indicated date to <u>callinpln@stalbans.gov.uk</u>

Please include the application reference number (e.g 5/2020/1234) in the title of your email.

Application No: 5/2022/2354 Ward: Clarence

Area: C

Proposal: Discharge of Condition 10 (construction management plan) of planning permission 5/2021/2195 dated 15/07/2022 for Demolition and redevelopment of existing builders merchant to provide up to 37 dwellings (Use Class C3) with associated access, parking and amenity space. Additional Information (Viability Assessment and Review) at Adjacent to 15 Cape Road St Albans Hertfordshire AL1 5DJ

Applicant: Mr J O'Sullivan

C/o Agent

Agent: Mr J Bell ADG Architects Ground Floor Suite 6 Pioneer Court Darlington Durham DL1 4WD

**Final Call in Date:** 21/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2354

Application No: TP/2022/0489 Ward: Clarence

**Proposal:** T1 - Sycamore - Reduce by approx. 1/3rd. Reduce away from building. T2 - Multistemmed Ash - Reduce by approx. 1/3rd. Reduce away from building. Reason - To keep trees at manageable size for the garden and to stop the tree encroaching on the property at 114 Clarence Road St Albans Hertfordshire

Applicant: Mr D Parfitt Hightown House Maylands Avenue Hemel Hempstead Hertfordshire HP2 4XH Agent:

Mr Tim Wise Treelife 8 St Margarets Great Gaddesden Hemel Hempstead Hertfordshire HP1 3BZ

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0489

**Application No:** 5/2022/2219

Ward: Harpenden North & Rural

Area: N

**Proposal:** Certificate of Lawfulness (proposed) - Change of external appearance by changing part of the rear single storey roof and rear elevation at 56 Carpenders Close Harpenden Hertfordshire AL5 3HN

Applicant: Mr & Mrs B Paagman DAY5 Architecture 30 Holcroft Road Harpenden Hertfordshire AL5 5BQ Agent: Miss B Paagman DAY5 Architecture 30 Holcroft Road Harpenden Hertfordshire AL5 5BQ

Final Call in Date: 21/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2219

Application No: TP/2022/0482 Ward: Harpenden South

**Proposal:** Harpenden Common Golf Course wished to undertake work to face up and reduce lateral growth from 12 oak trees along the western section of a semi mature oak copse. The lateral growth of these specimens have now restricts use of this hole, impacting play onto the western side of the tee and hole no 10, impacting the use of the site for golf. The additional shade from the trees is also impacting the available light reaching the woodland understory impacting reducing the grassland value beneath. The following oak specimens are expected to require work: 711,716, 749, 758, 764, 765, 780, 781, 788, 789, 790, 802

Facing up would would require the removal of 2-4m of lateral branch growth using contractors.No tree specimens are proposed to be planted, as no trees will be felled. at Harpenden Common Golf Club East Common Haropednden Hertfordshire AL5 1BL

#### Applicant:

A Melson Harpenden Town Council Town Hall Harpenden Hertfordshire AL5 2LX Agent: A Melson Harpenden Town Council Town Hall Harpenden Hertfordshire AL5 2LX

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0482

Application No: TP/2022/0484 Ward: Harpenden South

**Proposal:** Area adj Ayres End Lodge boundary. The following trees would be faced up with lateral growth within the canopy reduced by 2-4m over the fairway: South West Woodland Tree Numbers: Holly:1166 (Mature) Oak: 1158, 1159, 1169 (Mature) Hawthorne: 1167, 1204 (Mature) North East Woodland Tree Numbers: Oak: 1033, 1042, 1043,1044 1048, 1051, 1052 (Semi Mature) The works would be undertaken to reduce lateral growth over the fairway restricting play and to improve the holes overall condition. No trees will be felled. Nature UK Heather plots are also to be planted in this area at Harpenden Common St Albans Road Harpenden Hertfordshire

Applicant:

Mr A Melson Harpenden Town Council Town Hall Harpenden Hertfordshire AL5 2LX Agent: Mr A Melson Harpenden Town Council Town Hall Harpenden Hertfordshire AL5 2LX

**Final Call in Date:** 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0484

Application No: 5/2022/2349 Ward: Harpenden South

Area: S

Proposal: Discharge of Conditions 14 (groundwater contamination), 15 (groundwater contamination) and 16 (options appraisal and remediation strategy) of planning permission 5/2018/2000 dated 04/09/2019 for Outline application (access, layout and scale sought) for demolition of existing and construction of three blocks creating 39 dwellings with associated underground and surface level parking, amenity space and associated works at 22-24 Grove Road Harpenden Hertfordshire AL5 1PX

Applicant:Agent:Jarvis Homes LtdDLA Town Planning LtdC/o Agent5 The Gavel Centre Porters Wood St AlbansHertfordshire AL3 6PQ

Final Call in Date: 21/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2349

**Application No:** 5/2022/2366

Ward: Harpenden South

Area: N

**Proposal:** Prior Approval - Single storey rear extension 2.8m in height x 4m in depth and 2.6m in height to the eaves at 1 Tiverton Court Harpenden Hertfordshire AL5 1SU

Applicant: Mr S Saha 1 Tiverton Court Harpenden Hertfordshire AL5 1SU Agent: Mr Steven Johnston Divine Design Consultants Ltd 49 Queens Crescent St Albans Hertfordshire AL4 9QQ

#### Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2366

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Application No: TP/2022/0474 Ward: Harpenden West

**Proposal:** G1 (Yew Hedge & 3 Cypress) - Fell T2 Silver Birch Crown reduce by 2-3m approx at 6 Corner Hall 2 Salisbury Avenue Harpenden Hertfordshire AL5 2QG

Applicant: P Anstee 6 Corner Hall 2 Salisbury Avenue Harpenden Hertfordshire AL5 2QG Agent: Franks Forestry Ltd 64 Dalkeith Road Harpenden Hertfordshire AL5 5PW

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0474

Application No: TP/2022/0475 Ward: Harpenden West

Proposal: 5 DAY NOTICE REQUIRED T1 Purple Leaf Plum (root movement leaving tree unstable with significant lean -Trim back lateral growth by 1-2m at 7 Tanglewood Douglas Road Harpenden Hertfordshire AL5 2ES

Applicant: Mrs Kennedy 7 Tanglewood Douglas Road Harpenden Hertfordshire AL5 2ES Agent: Franks Forestry Ltd 64 Dalkeith Road Harpenden Hertfordshire AL5 5PW

**Final Call in Date:** 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0475

Application No: TP/2022/0481

Ward: Harpenden West

**Proposal:** Dead Cedar at rear to section fell. Notification was given 2019 and work NOT carried out at 1 Rosebery Avenue Harpenden Hertfordshire AL5 2QT

Applicant: S Nieberg 1 Rosebery Avenue Harpenden Hertfordshire AL5 2QT Agent: Mrs Carol Shadbolt Neil Shadbolt Tree Surgery 18 Bowland Crescent Dunstable Bedfordshire LU6 3QD

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5% 2F/202% 2F0481

Application No: TP/2022/0483 Ward: Harpenden West

Proposal: T1 Sycamore - Crown reduction back to primary cuts (1-2m)
T2 Horse Chestnut - Crown reduction by 1-2m approx (above primary cuts if achievable)
G3 Group (2 Ash & 1 Horse Chestnut) - Crown reduction by 1-2m approx and crown thin by 10% at 7 Tanglewood Douglas Road Harpenden Hertfordshire AL5 2ES

#### **Applicant:**

Mrs Kennedy 7 Tanglewood Douglas Road Harpenden Hertfordshire AL5 2ES Agent: Franks Forestry Ltd 64 Dalkeith Road Harpenden Hertfordshire AL5 5PW

**Final Call in Date:** 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0483

Application No: TP/2022/0486 Ward: Harpenden West

Proposal: Front garden T1 Lime - Re-pollard at 57 Park Avenue North Harpenden Hertfordshire AL5 2EE

Applicant: Mrs Grimberg 57 Park Avenue North Harpenden Hertfordshire AL5 2EE Agent: Franks Forestry Ltd 64 Dalkeith Road Harpenden Hertfordshire AL5 5PW

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0486

**Application No:** 5/2022/2391

Ward: Harpenden West

Area: N

**Proposal:** Discharge of Conditions 8 (patio screening) & 9 (balcony screening) of planning permission 5/2020/2170 dated 23/12/2020 for Demolition of existing dwelling and erection of a six bedroom detached dwelling with associated works at 10 Alders End Lane Harpenden Hertfordshire

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5% 2F2022% 2F2391

#### Applicant:

Mr & Mrs Huntsman 10 Alders End Lane Harpenden Hertfordshire AL5 2HL

#### Agent:

Mr Paul Davidson RIBA UCHI Architecture The Studio 20 Moorland Road Harpenden Hertfordshire AL5 4LA

**Final Call in Date:** 21/10/2022

**Application No:** 5/2022/2392

Ward: Harpenden West

Area: N

Proposal: Discharge of Condition 8 (hard and soft landscaping details) of planning permission 5/2021/2944 dated 28/01/2022 for Replacement dwelling with associated works at 12 Pondwick Road Harpenden Hertfordshire AL5 2HG

Applicant: Mr & Mrs Howells 19 Claygate Avenue Harpenden Hertfordshire AL5 2HE Agent: Miss Heather McNeill A D Practice Ltd 2 Mill Walk Wheathampstead Hertfordshire AL4 8DT

Final Call in Date: 21/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2392

Application No: TP/2022/0473 Ward: London Colney

**Proposal:** This application applies to all trees (22 trees) around my property boundary at 11 Lovett Road as per the plan in the attached supporting document. All the trees were planted by the estate gardeners without consultation in 2010, 5 years after the area became a conservation area in 1995. Most have grown into tall trees that are as tall as my house and completely surround the property blocking out light and views to surrounding fields. I would like the gardeners to trim down the trees to approximately half their height to ensure views and light is restored to how it was at 11 Lovett Road London Colney Hertfordshire AL2 1UE

Applicant: P Nijjar 11 Lovett Road London Colney Hertfordshire AL2 1UE Agent: P Nijjar 11 Lovett Road London Colney Hertfordshire AL2 1UE

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0473

Application No: TP/2022/0476 Ward: London Colney

**Proposal:** T1 Magnolia at rear of property - To reduce height by approximately 2m at 28 Azalea Close London Colney St Albans Hertfordshire AL2 1UA

Applicant: B Beale 28 Azalea Close London Colney Hertfordshire AL2 1UA Agent: MBs Grounds Maintenance Ltd 16 Boars Tye Road Silver End Witham Essex CM8 3QA

Final Call in Date: 28/10/2022

Ward: London Colney

Area: S

**Proposal:** Discharge of Condition 19 (drainage) of planning permission 5/2019/1799 dated 12/05/2020 for Outline (access sought) - Demolition of existing buildings and development of the site for residential, with associated access, parking and open space at Former London Colney Recreation Centre Alexander Road London Colney Hertfordshire Applicant: Agent: Miss S Ching Lovell Partnership Ltd Miss S Ching Lovell Partnership Ltd 100 St John Street London EC1M 4EH 100 St John Street London EC1M 4EH Final Call in Date: 21/10/2022 https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.guery.FullTextSearch=5%2F2022%2F2390 **Application No:** 5/2022/2378 Ward: Redbourn Area: N **Proposal:** Certificate of Lawfulness (proposed) - The client is looking to upgrade the kitchen and in order to help with the improvements squaring off the rear of the property will help. The extension will be 1.5m deep x 2.3m wide at 11 Cumberland Drive Redbourn Hertfordshire AL3 7PG **Applicant:** Agent: Mr B Bagshaw D & B Building Mr B Bagshaw D & B Building 10 Fontmell Close St Albans 10 Fontmell Close St Albans Hertfordshire Hertfordshire AL3 5HU AL3 5HU Final Call in Date: 21/10/2022 https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.guerv.FullTextSearch=5%2F2022%2F2378 Application No: 5/2022/2321 Ward: Sandridge & Wheathampstead Area: N **Proposal:** Certificate of Lawfulness (proposed) - Single storey rear extension at The Willows St Albans Road Sandridge Hertfordshire AL4 9LB **Applicant:** Agent: Mr D Jelley Briffa Phillips Ltd The Willows St Albans Road 19/21 Holywell Hill St Albans Hertfordshire Sandridge Hertfordshire AL4 9LB AL1 1EZ

Final Call in Date: 21/10/2022

Application No:

5/2022/2390

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2321

Application No:5/2022/2367Ward:Sandridge & WheathampsteadArea:N

Proposal: Non Material Amendment - Addition of windows at ground floor to serve dining area of plot 9 within the apartment block, plots 9 to 13 of planning permission 5/2020/3084 dated 01/06/2021 for Variation of Condition 2 (approved plans) revision of parking arrangement to R/O plots 7-13, north of plot 20 and to the front of plots 21-28 of planning permission 5/2019/3016 date 28/02/2020 for Variation of Condition 2 (approved plans) for revisions to plots 14-20, plots 21-24 and plots 25-28 of planning permission 5/2018/1260 dated 24/04/2019 for Creation of nine, two bedroom apartments and nine, two bedroom, two, three bedroom and eight, four bedroom dwellings with new access from Palmerston Drive, associated parking, amenity space and landscaping at Land Between The River Lea And Palmerston Drive Wheathampstead Hertfordshire

Applicant:Agent:Jarvis Homes LtdDLA Town Planning LtdC/o Agent5 The Gavel Centre Porters Wood St AlbansHertfordshire AL3 6PQ

Final Call in Date: 21/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2367

**Application No:** 5/2022/2384

Ward: Sandridge & Wheathampstead

Proposal: Certificate of Lawfulness (proposed) - Proposed outbuilding within the rear garden at 245 Lower Luton Road Wheathampstead Hertfordshire AL4 8HW

Applicant: Mr & Mrs Smotlak 245 Lower Luton Road Wheathampstead Hertfordshire AL4 8HW Agent: Mr Richard Collin 27 St Andrews Close Slip End Bedfordshire LU1 4DE

Area: N

**Final Call in Date:** 21/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2384

Application No: TP/2022/0485 Ward: Sopwell

**Proposal:** Front garden T1 Eucalyptus - Crown reduction by 2m approx (primary cuts). at 59 Prospect Road St Albans Hertfordshire AL1 2AT

Applicant: Mr Kilby 59 Prospect Road St Albans Hertfordshire AL1 2AT Agent: Franks Forestry Ltd 64 Dalkeith Road Harpenden Hertfordshire AL5 5PW

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0485

Application No: 5/2022/2326 Ward: Sopwell

#### **Proposal:** Non Material Amendment - Alteration to openings on front extension of planning permission 5/2019/1637 dated 21/08/2019 for Single storey front and side extension at 17 Maynard Drive St Albans Hertfordshire AL1 2JX

**Applicant:** Mrs N Griffiths 17 Maynard Drive St Albans Hertfordshire AL1 2JX

Agent: Mr Kevin Todd Kingswood Design Ltd P O Box 1643 Bedford Bedfordshire MK42 5FJ

#### Final Call in Date: 21/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2326

**Application No:** 5/2022/2344 Ward: St Peters

**Proposal:** Discharge of Condition 7 (high level plant screening) of planning permission 5/2021/2844 dated 31/03/2022 for Change of use from Class E (building society) to Sui Generis (public house) with first floor ancillary staff accommodation, single storey extension, installation of plant and extract ducts, associated alterations and works and new outside seating area with pergola - amended and additional information at The Grange 16 St Peters Street St Albans Hertfordshire AL1 3NA

#### **Applicant:**

McMullen & Sons Ltd The Hertford Brewery 26 Old Cross Hertford Hertfordshire SG14 1RD

Final Call in Date: 21/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2344

Application No: 5/2022/2362 Ward: St Peters

**Proposal:** Discharge of Condition 6 (high level plant screening) of Listed Building consent 5/2021/2850 dated 31/03/2022 for Change of use from Class E (building society) to Sui Generis (public house) with first floor ancillary staff accommodation, single storey extension, installation of plant and extract ducts, associated alterations and works and new outside seating area with pergola - amended and additional information at The Grange 16 St Peters Street St Albans Hertfordshire AL1 3NA

Applicant: Agent: McMullen & Sons Ltd Simon Millett Walsingham Planning The Hertford Brewery 26 Old Cross Bourne House Cores End Road Bourne End Hertford Hertfordshire SG14 1RD **Buckinghamshire SL8 5AR** 

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2362

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Area: C

Area: C

Agent:

Simon Millett Walsingham Planning Bourne House Cores End Road Bourne End **Buckinghamshire SL8 5AR** 

Application No: 5/2022/2335 Ward: St St	tephen Area: S
Application No:   5/2022/2335   Ward:   St Stephen   Area:   S     Proposal:   Discharge of Conditions 3 (slab levels) and 4 (method statement) of planning permission 5/2021/0280 allowed at appeal dated 25/04/2022 for Six semi-detached dwellings with associated access, parking and landscaping at Land Rear Of 76-80 Oakwood Road Bricket Wood Hertfordshire   AL2 3QA	
Applicant: Mr Aherne Edit Residential 26c George Street St Albans Hertfordshire AL3 4ES	<b>Agent:</b> Mr Aherne Edit Residential 26c George Street St Albans Hertfordshire AL3 4ES
Final Call in Date: 21/10/2022	
https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2335	
Application No: 5/2022/2361 Ward: St St	tephen Area: S
<b>Proposal:</b> Certificate of Lawfulness (proposed) - New rear single storey extension at 19 Hyburn Close Bricket Wood Hertfordshire AL2 3QX	
Applicant: Mr R Beeden 19 Hyburn Close Bricket Wood Hertfordshire AL2 3QX	<b>Agent:</b> Mr Andrew MacSwayed Eurohaus Ltd 196 High Road Wood Green London N22 8HH
Final Call in Date: 21/10/2022	
https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2361	
Application No: TP/2022/0472 Ward: Verulam	
<b>Proposal:</b> Yew + Laurel + Holly hedge/ trees - slide up to centre of garden wall rear garden. at 15 Hill Street St Albans Hertfordshire AL3 4QS	
<b>Applicant:</b> D Brown 15 Hill Street St Albans Hertfordshire AL3 4QS	<b>Agent:</b> Mr R Parker Oakapple Landscapes 244 High Street London Colney Hertfordshire AL2 1HP
Final Call in Date: 28/10/2022	
https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0472	

Application No: TP/2022/0477 Ward: Verulam

**Proposal:** Reduction by approximately 20% of a Weeping Beech in the rear garden of 3 Offa Rd. This work is repeated every few years with the aim to maintain the tree to a reasonable size commensurate with the size of the rear garden. at 3 Offa Road St Albans Hertfordshire AL3 4QR

Applicant: H Norman 3 Offa Road St Albans Hertfordshire AL3 4QR Agent: St Albans Trees & Gardens Ltd 32 Furse Avenue St Albans Hertfordshire AL4 9NE

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0477

Application No: TP/2022/0478 Ward: Verulam

**Proposal:** To reduce by approximately 30% three trees next to the boundary with No 10 Offa Rd. Trees are Holly, Hornbeam & Hazel. The aim is to increase light levels to both gardens. There has been previous work done to these trees. The work is to keep the trees to within a size that doesn't impact too greatly on light levels. Plus keeps this part of the garden open as it is within a few meters of the buildings. at 12 Offa Road St Albans Hertfordshire AL3 4QR

Applicant:Agent:J RatfordSt Albans Trees & Gardens Ltd12 Offa Road St Albans Hertfordshire32 Furse Avenue St Albans HertfordshireAL3 4QRAL4 9NE

Final Call in Date: 28/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F/202%2F0478

Application No: 5/2022/2387 Ward: Verulam

Area: C

**Proposal:** Non Material Amendment to allow relocation of chimney stack, omission of side extension to dining room and minor alterations to window openings of planning permission 5/2020/1313 dated 20/08/2020 for Two storey front extension, single storey side extension, two storey rear extension following demolition of conservatory, additional chimney stack, alterations to openings, widening of existing garage with access onto Ver Road and replacement windows at 17 Abbey View Road St Albans Hertfordshire AL3 4QP

Applicant: Mrs J Collins C/o Agent Agent: Alan N Smith Arquen House 4-6 Spicer Street St Albans Hertfordshire AL3 4PQ

Final Call in Date: 21/10/2022

https://planningapplications.stalbans.gov.uk/planning/search-applications?civica.query.FullTextSearch=5%2F2022%2F2387

EXPLANATORY NOTE: The Local Planning Authority must determine any prior approval notification within a 42 day time period (householders) or a 56 day time period (changes of use). Failure to do so results in an approval being granted automatically. Non Material Amendment applications should be decided within 28 days.

These notifications are a matter of law and are assessed solely against the relevant part of planning legislation. The law only allows consideration of a small, limited number of technical matters.

Whilst these application types can be subject to the call-in procedure, applications which do not involve any public consultation may be decided before the call-in deadline expires.

In the case of tree work Conservation Area Notice applications, these must be determined within 6 weeks after receipt date as approval exists by default after this Notice period. Conservation Area Notices can only be refused if the Council serves a Tree Preservation Order to protect the affected trees.