

TREE PRESERVATION ORDER SUB-COMMITTEE

Minutes of the meeting held on Tuesday 2 April 2013 in the Town Hall, Royal Leamington Spa at 5.00pm.

PRESENT: Councillor MacKay (Chairman); Councillors Mrs Blacklock, Brookes and Weed.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. MINUTES

The minutes of the meeting held on 31 October 2013 were taken as read and signed by the Chairman as a correct record.

7. TREE PRESERVATION ORDER 473 – HOMEWOOD, 19 KENILWORTH ROAD, ROYAL LEAMINGTON SPA

The Sub-Committee considered a report about provisional Tree Preservation Order 473, made on 27 February 2013.

Following the refusal of planning permission for the redevelopment of this site as a care home, a current appeal would be considered by means of a Public Local Inquiry later this year on dates to be confirmed. That application included a proposal to remove the oak tree the subject of this Tree Preservation Order.

In February this year, in order to protect the amenity contributions of that tree, the Council made a Tree Preservation Order (TPO). Unfortunately, a technical administrative error resulted in that initial TPO (reference no. 471) being withdrawn and replaced with TPO no. 473 which was made on 27 February 2013.

Whilst an objection was received in respect of the initial Order which had been withdrawn, that objection had been carried forward and was being considered in respect of current provisional Order no 473.

It was estimated that this native English Oak was approximately 14 metres in height and approximately 140 years of age.

The Council's Tree Officer considered the tree to be of significant amenity value in terms of its contribution to the character and appearance of the Conservation Area in which it was located. This mature Oak was also of Veteran status as defined under current guidance; was prominent within the surrounding area making a positive contribution to the local environment and was visible from public vantage points.

TREE PRESERVATION ORDER SUB COMMITTEE MINUTES (Continued)

The Council decided that it was expedient to ensure the protection of the tree and control future works to it. A provisional Tree Preservation Order, TPO 473, was therefore made as identified above.

The Order came into effect provisionally on 27 February and would remain in force for a period of six months. If the Council chose to confirm it, it would remain in force indefinitely.

The reason for making the Order, as set out in the Order itself was:

'T1 Oak significantly contributes towards the local amenity of the area. The Oak is visible from localised public vantage points and street scene to Lillington Avenue, as well as a distant view from Kenilworth Road cross roads. The character of the crown includes interesting features of gnarled old branches formed from right angle bends with cloaked with decorative deeply fissured bark; scars arising from dieback of bark and cambium tissue from beneath old pruning wounds and limb loss; some decline in vigour to certain wound occlusions of callus formation; epiphyte colonisation by extensive lichen colony located to mid-upper crown; colonising fungi; naturally formed bonsai Holly within upper crevice to long limbs growing towards neighbouring high drawn crown of Lime, (forming part of highway's monocultured Lime tree avenue); Woodpecker type holes to 2 locations; some hollowing out of old large wounds with sap weeping down stems; slight bark plate movement to lower trunk bulge –possible indicating early basal decay formation; minor to major deadwood within crown (of up to 30cm diameter to butt union of stems) and alleged sighting of heartwood rotting fungus Chicken of the Woods. The above features qualify this Oak as being of 'Veteran status' in line with recently updated guides.'

In order to assist the Council in deciding whether the Order should be confirmed, those with an interest in the land were invited to make representations in relation to the provisional Order. The following representation had been received:-

An objection had been received to the provisional order from Ian Kerr Limited and was therefore required to be determined by the Sub-Committee.

The Sub-Committee had visited the location earlier in the day to enable them to consider the impact of the tree on the public amenity when determining the application.

Members noted that the tree made a positive contribution to the street scene and because of its age and type had a specific character which enhanced the area.

Having considered the officer's report and presentation, and having visited the site, Members unanimously agreed that the Order should be confirmed.

RESOLVED that Tree Preservation Order 473be
CONFIRMED.

(The meeting ended at 5.10pm)