

Planning Committee: 12 December 2007
Application No: TPO 356

Item Number:

Town/Parish Council Kenilworth

Case Officer Robert Toll
01926 456212 planning_appeals@warwickdc.gov.uk

21 & 23 Leyes Lane and 1 Hodnet Close, Kenilworth, CV8 2NP
Provisional Tree Preservation Order: TPO 356 – 4 individual trees
Objections with regard to all of the trees

(Refer to attached plan for specific trees)

The order was created as part of the on-going TPO review that is taking place in Kenilworth.

The Tree Preservation Order took effect, on a provisional basis, on 17 October 2007 and continues in force on this basis for a further six months or until the Order is confirmed by the Council whichever first occurs. Before the Council can decide whether the Order should be confirmed, residents living in the vicinity of the Order have a right to make representations.

SUMMARY OF REPRESENTATIONS

- **Mr C Briffa, 23 Leyes Lane, Kenilworth, CV8 2DD**

T1, T2, T3, T4 - 21 & 23 Leyes Lane and 1 Hodnet Close, Kenilworth, CV8 2NP

- The reason for this objection is that after extensive underpinning and structural strengthening operations carried out in the last 6 months to repair damage caused by subsidence, there is recent fresh evidence in the form of more structural cracking that the problem continues.

The engineers investigating are once again considering the possibility that one of the trees in particular may be a major contributory cause of this problem. If that is the case they may well wish to ask for permission to fell this tree or others. I emphasise that these fresh investigations are in an early stage, but need to reserve the right to do everything possible to protect the integrity of this property.

KEY ISSUES

T1, T2, T3, T4 - 21 & 23 Leyes Lane and 1 Hodnet Close, Kenilworth, CV8 2NP

- **The reason for this objection is that after extensive underpinning and structural strengthening operations carried out in the last 6 months to repair damage caused by subsidence, there is recent fresh evidence in the form of more structural cracking that the problem continues.**

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At this time there is not sufficient evidence provided to show that any of the trees are causing structural damage to property. Once sufficient evidence has been gathered an application should then be put into the council to carry out necessary work to the tree. The fact that one or more the trees may be causing damage is not a good enough reason to not TPO the tree.

CONCLUSION

The trees are significant and highly conspicuous on Leyes Lane and have historical value. The objection given above has no evidence to show that the tree is causing the damage.

RECOMMENDATION

That the TPO be **confirmed** to protect T1, T2, T3 and T3 Oaks – 21 & 23 Leyes Lane and 1 Hodnet Close, Kenilworth, CV8 2NP
