

Planning Committee: 25 April 2016

Item Number: **17**

Application No: TPO 504

Town/Parish Council: Royal Leamington Spa

Registration Date:

Case Officer: Rajinder Lalli

Expiry Date:

20/22 Millers Road Warwick CV35 5AD

Confirmation of Provisional Tree Preservation Order relating to Oak Tree

This Tree Preservation Order (TPO) is being presented to Committee because an objection has been received to it being confirmed

RECOMMENDATION

Planning Committee is recommended to authorise officers to confirm TPO 504 without modification.

BACKGROUND

A request to TPO the Oak tree was made 11/01/16 as the tree was due to be felled that week.

ASSESSMENT

The Oak tree sits within the rear garden of 22 Millers Road on the boundary between 20 Millers Road.

The Oak tree contributes significantly to the local character of the area and is highly prominent within the street scene when viewed between the existing gap formed by 28 Millers Road, Oken Road and Wedgenock Green and therefore has a high public amenity value.

The Oak is considered to be of good health and about a third of the usually assumed life span of an Oak.

OBJECTION

The Council received an objection to the making of the Order from the owner, in summary his objections are:-

1. The tree shades 30% of the garden
2. There is concern in respect of the health of tree due to low production of acorns. The tree is producing more burrs and also puff balls believed to be wasps nests.
3. There is a concern that a large branch will break and fall within the garden causing injury.
4. The roots are damaging the boundary fence.

5. Pigeon droppings are causing a nuisance and possible health risk
6. Does not agree that there is a high amenity value

KEY ISSUES

The key issues to be addressed in deciding whether or not to confirm the Tree Preservation Order are whether the tree is of sufficient amenity importance to justify a TPO, and whether the public benefit afforded by the tree outweighs any private inconvenience experienced by individuals because of the tree.

As set out in the introduction, the trees are considered to be of significant amenity value within the surrounding area.

There is no evidence to indicate that the tree is in decline or that there is a significant danger of the branch referred to being weakened. The making of the order will not in any way prevent the submission of future applications to undertake works to the tree should circumstances change which will, of course be fully considered.

The tree is in good condition with no obvious signs of fungal damage, however there is deadwood throughout the crown but the majority would appear to be as a result of squirrel damage.

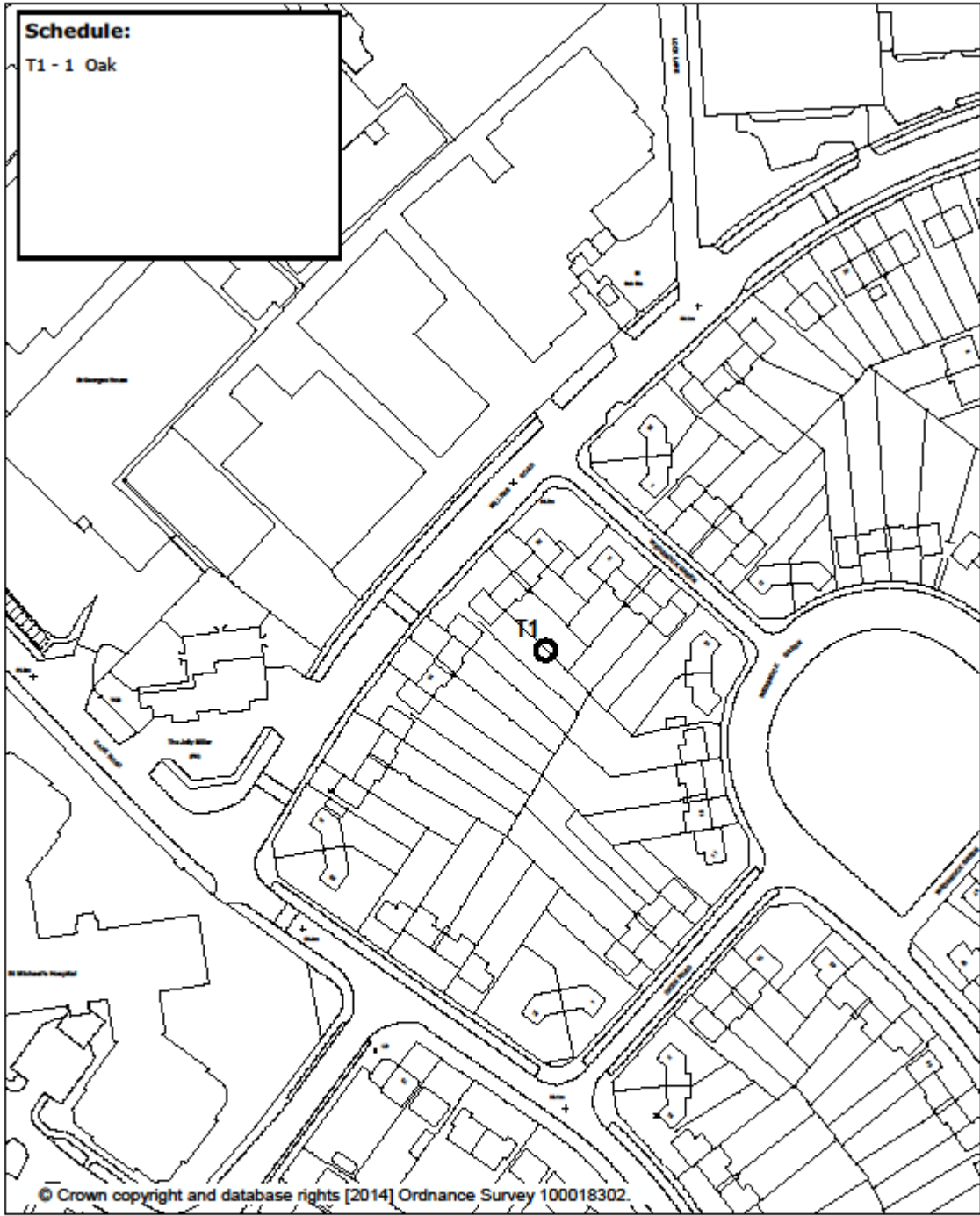
Any deadwood can be removed from the tree without consent.

The effect of the TPO is to bring future work to the trees under the Council's control. It will not prevent appropriate work to be carried to maintain the trees.

In terms of the amenity value of the tree, the tree is viewed various vantage points and enjoyed from the rear gardens of the neighbours within its locality – in that respect the Council has received 15 separate comments from local residents in support of the TPO.

SUMMARY/CONCLUSION

It is not considered the issues raised in objection to the TPO are sufficient to outweigh the significant amenity contribution which the tree makes to its surrounding area.



Schedule:

T1 - 1 Oak




Title:

Tree Preservation Order No. 504

20/22 Millers Road, Warwick, CV34 5AD

LOCATION PLAN

OS Sheet Reference No. SP2785NE Map Centred (NGR): 427888 E , 265803 N

Scale: 1:1250	Plan: 1	Drawn By: SW	Date: 14 January 2016	File No. TPO 504	North 
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Development Services: P.O. Box 2178, Riverside House, Milverton Hill, Royal Leamington Spa. CV32 5QH