

**Planning Committee:** 16 September 2014

**Item Number:** 17

**Tree Preservation Order No:** 486

**Town/Parish Council:** Shrewley

**Case Officer:** Robert Penlington  
01926 456212 robert.penlington@warwickdc.gov.uk

Provisional Tree Preservation Order 486: Newlands Barn, Five Ways Road, Haseley, Warwick.

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

### **RECOMMENDATION**

Planning Committee are recommended to authorise officers to confirm Tree Preservation Order 486 without modification.

### **BACKGROUND**

In early 2014, a request was received from a local resident and a Parish Councillor that this TPO be made following the submission of a prior notification proposing the use of a nearby agricultural building for residential purposes.

The oak tree the subject of this Order is approximately 200+ years of age and is located within a native roadside hedgerow in the open countryside.

### **ASSESSMENT**

The tree is approximately 15m in both height and crown spread, with an attractive asymmetric crown. As a result of its positioning, size and distinctive character as a mature oak tree, it significantly contributes towards the visual amenity of the area and the Arden Parkland landscape within which it is situated.

Upon inspection of the tree, there was no evidence of structural weaknesses or the presence of fungal fruiting bodies and it appeared to be in a sound biological state.

## **OBJECTIONS**

The council has received two objections to the making of the Order as follows:-

- 1) This Oak is one of 273 roadside trees belonging to the Haseley Estate, the tree is not a veteran and has no special historic amenity, and should therefore not be singled out from other trees.
- 2) The existence of a TPO makes management of the tree more complicated as permission is required before for any safety work may be carried out. It is not the wishes of Haseley Estate to remove any trees unless they are dead or dangerous.

## **SUPPORT**

Two letters supporting the making of the Order have been received from a local resident and from Shrewley Parish Council identifying the contribution of the tree towards the amenity of the local area and the rural street scene and the potential risk to the tree arising from it's proximity to the site of the proposed change of use.

It is also noted that the roadside hedgerow was heavily managed in 2013 and 2014 and that 2 mature hedgerow trees have been felled in the past.

## **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 such protection, and whether the public benefit afforded by the tree outweighs any private inconvenience experienced.

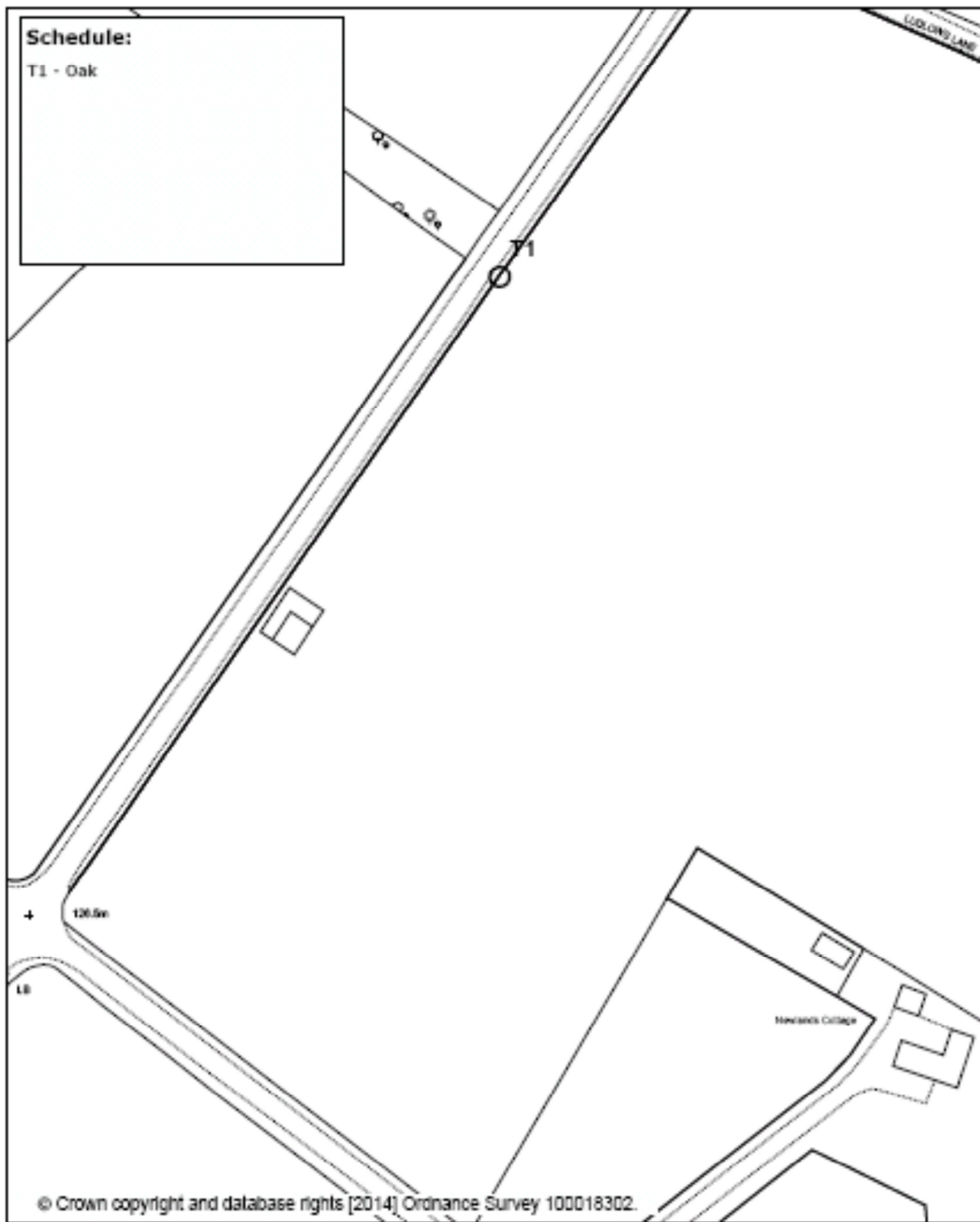
The tree is considered to be of significant amenity value within the surrounding area. As a key landscape feature it reinforces the character of the rural Arden Parkland of which it forms part.

There is no evidence of structural deformities or of any fungal fruiting bodies to the Tree and following its inspection, the District Council's Tree Preservation Officer advises that there is no evidence to suggest any overriding concerns regarding health, safety or stability and that the physiology and structure of the tree appears sound.

The effect of the Tree Preservation Order is to bring future work to the tree under the Council's control. It does not prevent future routine maintenance and an application to carry out further works can be made at any time. In the event of any health or safety concerns for roadside safety becoming apparent, any such works would be exempt for the requirement of consent.

A Tree Preservation Order also assists the Council to ensure continuity of cover by enabling the Council to require replacement planting in any future circumstances should it become appropriate to permit the removal of the tree.

It is not considered that the issues raised in objection to the Tree Preservation Order are sufficient to outweigh the significant amenity contributions which the tree makes to the surrounding area.



Title:

### Tree Preservation Order No. 486

Newlands Barn, Five Ways Road, Haseley, Warwick, CV35 7HT

#### LOCATION PLAN

OS Sheet Reference No. SP2268SW Map Centred (NGR): 422182 E , 268289 N

Scale:  
1:1250

Plan:  
1

Drawn By:  
RP/SW

Date:  
16 April 2014

File No.  
486

North

Development Services: P.O. Box 2178, Riverside House, Milverton Hill, Royal Leamington Spa. CV32 5QH



