

Planning Committee: 16 September 2016

Item Number: 16

TPO No: TPO 511

Registration Date: N/A

Town/Parish Council: Radford Semele

Expiry Date: N/A

Case Officer: Rajinder Lalli

7 Chance Fields Radford Semele CV31 1TR
Confirmation of Provisional Tree Preservation Order relating to two Scots Pine trees

This Tree Preservation Order (TPO) is being presented to Committee because objections have been received to it being confirmed

RECOMMENDATION

Planning Committee are recommended to authorise officers to confirm TPO 511 without modification.

BACKGROUND

An application for the felling of the trees in question was made on 23 March 2016.

After careful consideration it was considered that the trees warranted a TPO and a Provisional Order (no.511) was subsequently made.

ASSESSMENT

The two Scots Pine trees are within the rear garden of 7 Chance Fields, Radford Semele.

They have a significant visual presence in the immediate, and wider landscape. The trees are clearly visible on the skyline when travelling from Leamington Spa to the east along the Southam Road and they are also a significant feature of the skyline from within Chance Fields.

Both trees are considered to be of good health and vigour.

OBJECTION

The Council has received four letters of objection to the making of the Order from the owner and local residents, who have raised the following issues objections:-

1. The trees are diseased;
2. Allowing dead tree to stand increases the risk that beetles will spread nematodes to other trees;

3. The trees are very close to the existing house with overhanging branches impacting on the maintenance of guttering;
4. The trees are affecting the building;
5. The trees have been planted too close together;
6. High winds could mean the trees could fall and damage property and endanger lives;
7. T2 will prevent a small extension to the property;
8. There is a loss of light to the garden behind the subject garden;
9. The trees were not originally TPO'd when others in the vicinity were.

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 trees outweigh 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.

The objectors have not presented any specialist evidence or justification to support claims that the trees are diseased or dead; that there is an increased likelihood of damage to buildings or that the trees are at risk of falling. The Council's assessment is that the trees are of good health and vigour. The Council's Tree Consultant reports that there is occasional necrotic needle throughout the crown but that this is not a significant issue in respect of their current health and vigour.

The trees are considered to pre-date the development of houses in this area and provided good management of the trees is continued, such as regular dead wooding, it is expected that the trees would have a safe life of at least 10 years and might be managed in a way that could reduce some of the effects set out above, for example the loss of light to gardens.

The relative proximity of the trees to each other is not considered to be a key factor in the assessment of the appropriateness of the making of this TPO particularly in view of the absence of any detailed information setting out why this is considered to be an issue.

The trees the subject of this report were not TPO'd in 1966 when other trees in the area were protected as at that time they were not considered to have significant amenity value. Since that time the trees have grown to have a significant amenity value in the wider surrounding area which now warrants the making of a TPO.

The effect of making this TPO is to bring future work to the trees under the Council's control in an appropriate way in order to safeguard their amenity value within the surrounding area. It is not intended to prevent appropriate work to be carried to maintain the trees and where possible reduce some of the effects that have been set out above

SUMMARY/CONCLUSION

It is not considered that the issues raised in objection to the TPO are sufficient to outweigh the significant amenity contribution which the trees makes within the surrounding area and it is therefore recommended that this Order be confirmed.