
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	30 OCTOBER 2007	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	KIM PARKES	DOC:
SUBJECT:	TREE PRESERVATION ORDER 286 AT 16 STATION LANE, WALTON ON TRENT	REF:
WARD AFFECTED:	SEALES	TERMS OF REFERENCE: DC01

1.0 Recommendations

- 1.1 That this Tree Preservation Order be confirmed.

2.0 Purpose of Report

- 2.1 To consider confirmation of this Tree Preservation Order.

3.0 Detail

- 3.1 This Tree Preservation Order was made on 24th July 2007 in respect of 5 trees within the cartilage of 16 Station Lane, Walton on Trent. The trees within the order are one Holly, Three Beech and one Sycamore.

The Order was made for the following reasons:

'The trees are clearly visible from the surrounding area and make a valuable contribution to the visual amenity of the locality. In view of the visual amenity provided by these trees the Council considers it expedient that this preservation order is made'

- 3.2 The TPO was made at the request of Kim Parkes who was at that time the case officer for an application at 16 Station Lane.

- 3.2 Comments have been made by the agent on behalf of the owner of the property. The points raised are as follows:

- 1) With reference to the size of the tree the property owner wishes to remove the Holly (T1) and replace it elsewhere on site.
- 2) It was mentioned that T2 was a late mature specimen with probably no more than 10 years life left and that although healed there is damage around ground level. The tree also leans and parts of the roots are in the flood plane and outside of the cartilage to the property. They would like us to accept a 6m diameter groundwork

exclusion zone when carrying out development on the site and would also consider less invasive piled foundations when close to the 6m boundary.

- 3) The Sycamore (T3) is wholly in the flood plane. It is suggested that a wall would create a better boundary and water defence in light of the recent river behaviour and the new causeway that will run in close proximity to this property. It is requested that this tree be removed from the order.
- 4) It is agreed to keep any development at least 6m from the trunk of the Beech Trees identified as T4 & T5 on the TPO plan.

3.4 In answer to the comments made officers have the following comments:

- The Holly tree (T1) must be retained for its amenity value and its size does not result in the tree being exempt from protection.
- The positioning of the tree upon a boundary (T2) does not result in the tree being unsuitable for protection. Although the tree leans it has not affected its safety. Protection zones around trees should be discussed with the tree consultant and Planning Officer and are not relevant to confirming a Tree Preservation Order.
- The Sycamore tree (T3) can be removed from the order, as it is not felt by the tree consultant to be of great importance to retain it.
- The protection zones around trees T4 & T5 are not relevant to confirming a Tree Preservation Order and should be discussed with the tree consultant and Planning Officer.

4.0 Planning Assessment

- 4.1 It is expedient in the interests of amenity to make these trees the subject of a Tree Preservation Order. An application to extend the property has recently been withdrawn in light of the protection of the trees and this Council seeks to protect them from future harm.
- 4.2 A variation order to remove the Sycamore tree (T3) from protection is currently being compiled.

5.0 Conclusions

- 5.1 It is expedient in the interests of amenity to preserve.

6.0 Financial Implications

- 6.1 None.

7.0 Corporate Implications

- 7.1 None

8.0 Community Implications

- 8.1 None

9.0 Background Implications

- 9.1 Letter from the Agent of the property owner received by the Planning Department on 5th September 2007.