
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	19 NOVEMBER 2002	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	TONY YOUNG (5745)	DOC:
SUBJECT:	TREE PRESERVATION ORDER NO. 201 – GARDEN OF 12 MOIRA ROAD, OVERSEAL	REF:
WARD AFFECTED:	OVERSEAL	TERMS OF REFERENCE:DC01

1.0 Recommendations

- 1.1 That this Tree Preservation Order be modified to exclude two sycamores and a horse chestnut from the group but to retain the two sycamores at the front of the property.

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 6 June 2002 in respect of a group consisting of 4 sycamores and 1 horse chestnut in the side garden of 12 Moira Road, Overseal, as indicated on the plan attached as Annex 'A'. The Order was made for the following reasons:

'These mature trees are highly visible and both individually and as a group form an important group of the established streetscene by providing relief and contrast in an otherwise built-up area.'

- 3.2 The neighbour has requested that the following further considerations be given to some of the trees before the Order is confirmed:

- Four vertical boughs of the horse chestnut are affected by a weak spot, which is prone to rotting, and overhang her property. Following an insurance inspection a tree surgeon has recommended that it be pre-emptively felled at some stage.
- The sycamores run parallel to her drive and cause root damage and consequent trip hazards.
- She has planning permission for a garage close to one of the sycamores and the TPO should not be allowed to prevent this development.

- 3.3 The Council's tree specialist has responded to the neighbours concerns which are summarised as follows:

- The large sycamore at the rear of the property was pollarded many years ago. The regrown limbs are large and heavy and there is a risk of possible failure. The permitted garage next door would be too close to the tree and therefore the tree should be removed from the Order.
- The multi-stemmed horse chestnut has been subjected to poor topping work in the past. Horse chestnut is weak in its structure and therefore the tree should be removed from the Order.
- The sycamore in front of the horse chestnut has also been badly topped. This produces an unstable tree that could fail at the former pollard wound and therefore be unsafe.

3.4 Outline planning permission with all matters, except access, reserved for subsequent approval was granted for residential development on the site on 23 July 2002.

4.0 Planning Assessment

4.1 The trees with the most amenity value are the two sycamores at the front of the property closest to the road and these should remain in the Order. Accepting the conclusions of the Council's tree specialist, the remaining trees are potentially unsafe and should therefore be deleted from the Order.

Financial Implications

5.1 None

5.0 Corporate Implications

6.1 None

6.0 Community Implications

7.1 None

8.0 Background Papers

8.1 Tree Preservation Order
30 June 2002 letter from neighbour