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| REPORT TO:              | PLANNING COMMITTEE             | AGENDA ITEM: 4          |
| DATE OF MEETING:        | 24th AUGUST 2010               | CATEGORY: DELEGATED     |
| REPORT FROM:            | DIRECTOR OF COMMUNITY SERVICES | OPEN                    |
| MEMBERS' CONTACT POINT: | RICHARD RODGERS<br>X5744       | DOC:                    |
| SUBJECT:                | TREE PRESERVATION ORDER 336    | REF:                    |
| WARD AFFECTED:          | ASTON                          | TERMS OF REFERENCE: P01 |

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## **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 (TPO).

## **3.0 Detail**

- 3.1 This tree preservation order was made on 8 June 2010 in respect of a group of trees on land at Cheal Close, Shardlow. The group of 8 trees include sycamore, horse chestnut and Norway maple.

The Order was made for the following reasons: The trees are well established. They can be seen from public vantage points such as Cheal Close, adjoining public open space, Aston Lane, Shardlow and Great Wilne Public Footpaths No 1 & 4, and London Road. The trees provide the locality with important visual amenity value and in light of possible tree works it is considered expedient that this order is made.

- 3.2 The TPO was made at the request of the Area Planning Officer following a recent enquiry about felling.
- 3.3 Comments have been received from Nos 52 and 50 Cheal Close – letters were received on the 17th June and 9<sup>th</sup> July 2010 respectively.
- The trees were not protected by a TPO when they purchased their property back in March of this year. In May of this year they spoke to the area planning officer who said it would be ok to carry out works to the trees as they were not protected.
  - The trees are a hindrance and cause loss of light to habitable rooms.

- The Horse Chestnut tree tends to drop branches and the trees pose a potential threat to the houses should they collapse in a storm. Falling branches and conkers also pose a danger to the occupants' (No 50) young child. It is believed that the tree has Leaf Blotch and Bleeding Canker disease. The risk posed by the tree outweighs its amenity value.

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

- The trees have only recently become protected via a temporary Order. The query prompted the necessary protection as they were then seen to be at risk. This particular group of trees formed part of the approved application. The scheme took the trees into account and they formed an integral part of the design of the layout. An accompanying tree report concluded that the trees were in good condition with 20-40 years life expectancy.
- The trees are situated on the western boundary. Any loss of light is late on in the afternoon.
- The Horse Chestnut has been inspected by the Council's consultant arboriculturist who considers there is no evidence at present that the tree is in poor health. The existence of the Order will not prevent residents from dealing with dangerous trees. Should the trees' condition deteriorate an application could be made to carry out remedial works, or they could be undertaken without consent in the event of the tree dying or becoming dangerous.

#### **4.0 Planning Assessment**

4.1 It is expedient in the interests of amenity to make the trees the subject of a tree preservation order.

#### **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 Protecting visually important trees contributes towards the Corporate Plan theme of Sustainable Development.

#### **8.0 Community Implications**

8.1 Trees that are protected for their good visual amenity value enhance the environment and character of an area and therefore are of community benefit for existing and future residents helping to achieve the vision for the Vibrant Communities theme of the Sustainable Community Strategy.

#### **9.0 Background Information**

9.1 8 June 2010 Tree Preservation Order

9.2 16 June 2010 letter from 52 Cheal Close, Shardlow and 9 July 2010 Letter from 50 Cheal Close, Shardlow