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REPORT TO:	PLANNING COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	6 AUGUST 2013	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF COMMUNITY AND PLANNING	OPEN
MEMBERS' CONTACT POINT:	RICHARD RODGERS (ext. 5744)	DOC:
SUBJECT:	TREE PRESERVATION ORDER 370	REF:
WARD AFFECTED:	MELBOURNE	TERMS OF REFERENCE: DC01

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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 (TPO370).

## **3.0 Detail**

- 3.1 This Tree Preservation Order was made on 22<sup>nd</sup> May 2013 in respect of a silver birch situated in the front garden space at 49 Jubilee Close, Melbourne.
- 3.2 The TPO was made following notification to fell the tree recently (see 9/2013/0315 TC). The tree is seen to contribute to the immediate streetscene and to the overall visual amenity of the Melbourne Conservation Area. To protect that amenity value a temporary order was made.
- 3.3 Comments relating to the proposed Order have been received and are summarised below:
- The roots have started to lift the corner of a neighbour's drive and the tarmac has begun to crumble; this will only get worse.
  - The steps leading to the house are being dislodged by the roots.
  - The roots stretch far beyond the canopy and into the garden next door
  - This species of tree should not have been planted here (small garden situation) and the branches are now nearly touching the house

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

- The modest damage to the drive and steps does not outweigh the amenity value of the tree. There will be some maintenance required of the drive and steps over time (this development is now over 17 years old) but this can be achieved without the loss of the tree.
- Birch trees are quite shallow rooted and surface roots will appear in lawned areas.
- The tree was chosen as part of the original landscaping scheme for the estate when originally developed in the late 1990s. Silver birches can grow in small garden situations due to their light conical shaped canopy. Works to cut back from the house could be assessed via an appropriate application – the notification received was for felling only.

#### **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 22 May 2013 - Tree Preservation Order

9.2 25 June 2013 - Correspondence with the owner of the tree.