
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	5 February 2008	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	OPEN
MEMBERS' CONTACT POINT:	NICKY TOON Ext: 5926	DOC:
SUBJECT:	TREE PRESERVATION ORDER 290 Turnfield House, Church Broughton	REF: TPO 290
WARD AFFECTED:	North West	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 12 September 2007 in respect of a blue cedar at Turnfield House, Church Road, Church Broughton.

The order was made for the following reason:

“The blue cedar is a prominent tree, which is located in the front garden of a dwelling and is important in the village street scene. The tree has been earmarked for removal along with other trees in the front garden. Removal of the other trees will leave the Blue Cedar as a prominent roadside tree and in view of its amenity value; South Derbyshire District Council considers it expedient that this order is made.”

3.2 Two letters of objection have been received from the occupier of Turnfield House, Church Broughton raising the following points:

- The tree has grown from 2m to approximately 10 in eleven years with the span of branches growing considerably and obscuring light to the house.
- The restriction of light creates shade resulting in large areas of moss growing on the tarmac drive near the house.
- With the extensive growth of the tree there is concern that the tree roots will damage the house foundations and concrete drainage system that runs from the back of the house to the front passing immediately below the tree.

- Blue cedars grow to a height of approximately 20-30m. The tree was planted by the previous owners and is too close to the house.
- The owners are prepared to plant a more suitable tree in its place.
- Removing branches would adversely affect the look of the tree.
- Blue cedars grow prolifically and are normally found in large parks and open spaces.
- Blue cedars are prone to branch drop which can happen without any prior indication.

3.3 In answer to the comments made the Council's landscape architect has the following comments:

- The growth of the tree is not a valid reason to not to place a Tree Preservation Order on a tree that has good amenity value. The cedar is an excellent tree in association with buildings. In the future the tree can be pruned to integrate with the house as and if necessary. An application can be submitted for any formative pruning which can be used to remove any branches that do grow too close to the house and become problematic.
- The tree is situated to the north of the house so direct sunlight is not blocked. In future the lower branches can be crown lifted and can be 30% crown thinned with tree work carried out to shape the tree to the house requirements. The tree is currently in scale with the house.
- The moss coverage on the north facing drive is due to the previous heavy tree cover which the Council has allowed to be removed
- There is no evidence of any foundation or drainage damage the house. The house is a comparatively new house built to modern building standards. Foundation damage typically occurs on heavy shrinkable clay subsoil which I do not believe is present in Church Broughton. This species of cedar is not particularly vigorous as it uses blue-pigmented lead chlorophyll being a blue cedar unlike the more vigorous green leaf pigment. . Tree roots typically occur in the upper 600mm soil layers. Drains are usually below 600mm depth. Tree roots will typically only break into a drain if it is already damaged. They cannot break into a sound plastic or clay pipe unless there is a leaking joint. Tree roots do not compromise a sound drainage system unless the drain is already faulty.
- Blue cedars can grow up to 20m although it is unlikely that this tree will flourish to this extent as it has to compete with the house and tarmac drive that act as an umbrella for essential water and will restrict the growth of the tree to some degree.
- Planting a replacement tree would not have the visual amenity impact as this fine existing blue cedar.
- Branch drop can happen but tends to happen in typically in mature trees. Cedars can fail but typically at over 100 years old whereas this blue cedar is only about 18 years old. Branches close to the house can be treated with very simple tree surgery.

- Blue cedars are found in parks and are very common in residential gardens.
- The tree is a fine architectural tree and contributes to the visual amenity of the village in this location. If any major problems occur the tree it could be removed by application.

4.0 Planning Assessment

4.1 It is expedient in the interests of amenity to make this tree the subject of a Tree Preservation Order. The cedar tree is of high visual amenity within this village location with an increasing roadside prominence following the removal of the surrounding trees.

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 Tree Preservation Order 290
- 9.2 Letter 16.09.07
- 9.3 Letter 13.01.08