

<b>REPORT TO:</b>	<b>DEVELOPMENT CONTROL COMMITTEE</b>	<b>AGENDA ITEM:</b> 6
<b>DATE OF MEETING:</b>	<b>18TH DECEMBER 2001</b>	<b>CATEGORY:</b> <b>DELEGATED</b>
<b>REPORT FROM:</b>	<b>DEPUTY CHIEF EXECUTIVE</b>	<b>OPEN</b> <b>PARAGRAPH NO: N/A</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>TONY YOUNG (5745)</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>TREE PRESERVATION ORDER NO. 184 (2001) – LAND AT THE BUNGALOW, WATERY LANE, SCROPTON</b>	<b>REF: NB/KW</b>
<b>WARD AFFECTED:</b>	<b>NORTH-WEST</b>	<b>TERMS OF REFERENCE: DC01</b>

### **1.0 Recommendation**

1.1 That this Tree Preservation Order be confirmed without modification.

### **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 13th July 2001 in respect of two individual trees (Ash and Willow) on land at The Bungalow, Watery Lane, Scropton, as indicated on the plan attached at Annexe 'A'. The Order was made for the following reasons:-

These trees provide an important entrance feature to the village when approaching from Watery Lane and contribute, along with other mature trees in providing a sense of enclosure to the village green at the junction of Leathersley Lane and Watery Lane. A planning application has been received to develop the site and the Council considers it expedient to protect the trees in the interests of safeguarding the amenities of the area.

3.2 The owner of the land upon which the trees are situated has objected to the Ash tree (T1) forming part of the Tree Preservation Order. His objections are summarised as follows:-

- (1) He agrees with the Council that the Willow tree provides an important entrance feature to the village and enclosure to the village green but not the Ash tree, which is located centrally within the plot.
- (2) The Willow tree was planted for decorative purposes, but not the Ash tree.
- (3) He objects to the contents of his garden being considered as a public amenity when this is not the case.

The owner adds that he would be willing to replace the ash tree with a more decorative type at the edge of the plot.

### 3.3 Planning Assessment

This well formed relatively young ash tree is in the centre of an open plot of land that the adjoins the highway and is some distance away from any permanent structures. It is clearly visible from Watery Lane when approaching from the north and from the village green road junction. The tree does have sufficient amenity value to be worthy of Tree Preservation Order status and this value is likely to increase as the tree matures. Planning permission was recently refused for one dwelling on the site and it is considered that the Order should be confirmed without modification to safeguard the amenities of the area.

### 4.0 Financial Implications

4.1 None.

### 5.0 Corporate Implications

5.1 None.

### 6.0 Community Implications

6.1 None.

### 7.0 Background Papers

7.1 13 Jul 2001 Tree Preservation Order  
12 Nov 2001 Letter from owner