

REPORT TO:	PLANNING COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	7th AUGUST 2018	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	RICHARD RODGERS (01283) 595744 richard.rodgers@south-derbys.gov.uk	DOC:
SUBJECT:	PROPOSED TREE PRESERVATION ORDER 496: 22 MAIN STREET, NEWTON SOLNEY	REF:
WARD(S) AFFECTED:	REPTON	TERMS OF REFERENCE:

1.0 Recommendations

1.1 That the tree preservation order is confirmed without modification.

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 22nd May 2018 in respect of a single silver birch tree that sits in the rear garden of 22 Main Street, Newton Solney.

3.2 The tree was to be removed as part of planning application 9/2018/0239; an application that proposed extension and alteration to the host dwelling.

3.3 Two letters of objection have been received, through consultation, stating:

- The tree was surveyed in December 2013 (by an Arboricultural Consultant). At that time it was advised that the birch had an expected life span of between 10 and 20 years. Given time has moved on it would be reasonable to say the tree has a maximum life span the tree now has an expected life span of 15.5 or in a worst case scenario 5.5 years. It is not considered that the placing of a TPO on a tree with such a short life span is reasonable;
- The tree cannot be considered to be of high amenity; views of it are limited from the main village thoroughfares;
- Of concern to the owners is the proximity of the tree to the approved house extension; the tree only some 6.5m away (post build); this relationship would cause problems through the build process and remedial works will be needed (i.e. some cutting back of the tree). The cutting back would unbalance the tree and affect the health of this veteran tree further effecting its and amenity and lifespan. That proximity is also a liveability concern; over mature Silver birch being fragile in a high target area;

- The owners are willing to plant a heavy standard tree as a replacement to ensure immediate tree cover to neighbouring properties;

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

- In terms of expected life span the Councils tree officer has opined that the tree appears healthy and has in his view, a useful life expectancy of 10 years+. He continues that no substantiated detail other than opinion has been provided to properly age the tree or prove its structural integrity. A 10 year life span is a minimum requirement in regards protecting a tree when using the Tree Evaluation Method for Protecting Trees (TEMPO).
- It is acknowledged the tree can only be glimpsed from Main Street. It is however very visible from Trent Lane; a busy thoroughfare off which the village school is accessed and which links up to the public footpaths in the village. From that public vantage point the full splendour of the tree can be appreciated.
- The tree would come close to the new build but the tree officer is happy the two can co-exist without significant detriment to either part, hence his support in regards approving the application. It is not expected the tree will need to be pruned to its undue detriment, it being of such a size that a crown lift and some modest reshaping would not undermine its overall health or landscape value.

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 in accordance with advice set out in Planning Practice Guidance.

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

- a) 22 May 2018 Tree Preservation Order.
- b) 11 June 2018 – Letter(s) of Objection.