

Report of	Meeting	Date
Director Partnerships, Planning and Policy	Development Control Committee	12 June 2012

Tree Preservation Order No.8 (Withnell) 2011

PURPOSE OF REPORT

1. The purpose of this report is to decide whether to confirm the above Tree Preservation Order (TPO) in light of the comments received.

RECOMMENDATION(S)

2. That Tree Preservation Order No.8 (Withnell) 2011 should be confirmed as originally proposed.

EXECUTIVE SUMMARY OF REPORT

3. The Council received comments from the land owner which can be summarised as follows:
4. Tree T1 (Eucalyptus) was planted by the land owner some 20 years ago and is not an indigenous species. The tree will need attention in the future as the trunk has developed into a triple formation and may become unsafe.
5. Tree T2 (Field Maple) is very small and the plan submitted under the application 11/00619/OUT (currently being considered at appeal) was designed to allow the tree to co-exist with the proposed development.
6. With regard to the above, Tree T1 comprises a Eucalyptus tree which is of a medium size and appears very visible and prominent in the streetscene from multiple views on Thirlmere Drive and is considered to be in good health. Tree T1 has been established in the area for a substantial amount of time now and makes a valuable contribution to the green character of the surrounding area. The tree may not be a native species, however, it makes a significant contribution to the streetscene and has significant amenity value. The tree does not appear to be showing any immediate signs of failure to be considered dead, dying or dangerous and any change in circumstance in the condition of the tree (should the TPO be confirmed) would require the submission of an application for tree works to the Council.
7. Tree T2 comprises a Field Maple which is smaller size, but still appears visible and prominent in the streetscene and from multiple views on Thirlmere Drive and is also considered to be in good health. Tree T2 is smaller in size, however, still makes a significant contribution to the streetscene and has significant amenity value. It is acknowledged that this tree would probably not suffer any significant detrimental harm as a result of the development submitted as part of the application 11/00619/OUT (as siting and design have not been applied for), however, it is still considered the tree is worthy of protection.
8. With regard to the above, both trees are still considered to have significant amenity value in the streetscene and both should be protected by TPO.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

9. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	x
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

10. An Outline application was received and is currently under consideration at appeal to develop the land on which the trees are situated (formally known as Land East Of 34 Thirlmere Drive, Withnell) for the erection of one detached bungalow (all matters reserved apart from access) (ref: 11/00619/OUT). A TPO was placed on these trees to protect them in the future.
11. Members should be aware that the Order was made on 5th September 2011 and an objection was received on the 29th September 2011.
12. It has been acknowledged there has been a significant period between making the order and bringing it before Members and so, Council Officers have visited the site to re-assess the condition of the trees. The site visit enabled Officers to consider the issues raised in light of the objection letter received.
13. As a result, it is still considered both trees make a valuable contribution to the visual amenities of the area, being prominently sited and clearly visible to the public, and it is considered their removal would have a significant detrimental impact on the environment and its enjoyment by the public.

IMPLICATIONS OF REPORT

14. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	x	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

15. None.

COMMENTS OF THE MONITORING OFFICER

16. None.

Lesley-Ann Fenton
Director Partnerships, Planning and Policy

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Matthew Banks	5230	28 th May 2012	***