

DEVELOPMENT COMMITTEE

15 March 2012

TREE PRESERVATION ORDER – REF: Ref: 151/901/2 GROUNDS OF MANOR BARN, 37 MAIN STREET, HOWELL, MELTON MOWBRAY

REPORT OF THE HEAD OF REGULATORY SERVICES

1. PURPOSE

- 1.1 The purpose of this report is to inform the Committee of one letter of representation received from the owner of 37 Main Street, Holwell and to invite the Committee to determine whether or not to confirm the Provisional Tree Preservation Order.

2. RECOMMENDATION

- 2.1 **That, in the interests of amenity, the Provisional Grounds of 37 Main Street, Holwell, Tree Preservation Order 2011, should be confirmed, as issued.**

3. DETAIL

- 3.1 A notification (Ref: 11/00683/TCA) to undertake the felling of 2 Sycamore trees within the grounds of 37 Main Street, Holwell was submitted to the Council on 5th September 2011 and following the usual consultation with the Council's arboricultural advisor a Tree Preservation Order was placed on the tree on 20 October 2011.

The application to fell these trees was not supported by the Parish Council but questioned, as there was no explanation as to why they should be removed or if they would be replaced.

- 3.2 It was considered that the trees are important within the street scene and made a contribution to the visual amenity of the area.
- 3.3 The Grounds of Manor Barn 37 Main Street, Holwell, Tree Preservation Order, 2011 (Ref: 151/901/2) was served on 20 October 2011 in the form of an order which specified the individual trees.
- 3.4 This Tree Preservation Order is currently a Provisional Order and this Council have a period of six months to confirm it unaltered, modify or revoke it. Therefore the Council has until 20 April 2012 to reach a decision.

4. OBJECTION TO THE ORDER

- 4.1 The owner of the tree, Mrs S Lambert, has registered her objection to the Provisional Tree Preservation Order, on the following grounds:
- The 2 Sycamore trees are in an elevated position and because of this and their increasing size, there are concerns that in gale conditions they may become uprooted and cause damage to the nearby property, a boundary wall and other specimen trees which have been planted.

- Every year the sycamore saplings have to be destroyed by spraying and this is not good for the wildlife, bluebells, primroses and snowdrops or surrounding trees, ie silver birch. Mountain Ash, Dog Wood, Varigated Holly, Fir, Flowering Cherry, Rowan.
- The Sycamore trees are beginning to dwarf the other trees and plants in the area which attract wildlife and offer an interesting, varied and colourful boundary in this area.

5. ASSESSMENT

5.1 Policies & Guidance:-

DETR Tree Preservation Order: A Guide to the Law and Good Practice

The Local Planning Authorities' main consideration should be whether the tree merits a TPO. The Authority should therefore assess the amenity value of the tree. Special attention must be paid to the desirability of preserving the character or appearance of the Conservation Area. Responses to any publicity should also be considered.

- 5.2 The amenity value of the trees is good being visible from Main Street and they are immature specimen with potential for further growth.

- 5.3 As part of the original consultation exercise, prior to determination of the TPO application, an inspection of the trees was carried out by the Council's specialist arboricultural advisor. The advisor stated the 2 Sycamores are in early to middle stages of their development and in moderately good health. Currently the trees are only moderately contributing to the local amenity, however, both trees are visible from the public highway and located in a prominent position at the edge of the village.

As the trees develop and mature over the coming decades they will become very prominent at the entrance to the village, eventually replacing three mature sycamores located in the adjacent field boundaries.

The advisor continues to state that there was no supporting evidence submitted with the TCA application (ie structural engineers report or tree survey) and although they would not normally warrant the creation of a new Tree Preservation Order, in an effort to retain the trees it would require that a TPO be created due to the course of action taken by the resident in making the TCA application.

- 6.1 In view of the advice given by the arboricultural advisor, and in view of the tree's good health and both current and future amenity value to the Main Street in Holwell, it is recommended that the Tree Preservation Order be confirmed.



Contact Officer:
Date:
Background

Deborah Dowling
28 February 2012
Provisional TPO: 37 Main Street, Holwell
Letter of objection from Mrs S Lamber 37 Main Street, Holwell