

DEVELOPMENT COMMITTEE

15 March 2012

TREE PRESERVATION ORDER – REF: 151/904/14) 63-65 HIGH STREET, BOTTESFORD NG13 0AA

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 63 High Street, Bottesford School 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 63-65 High Street, Bottesford Tree Preservation Order 2011, should be confirmed, as issued.**

3. DETAIL

- 3.1 A notification (Ref: 11/00837/TCA) to undertake the felling of an Oak tree within the grounds of 63-65 High Street, Bottesford was submitted to the Council on 27 October 2011 and following the usual consultation with the Council's arboricultural advisor a Tree Preservation Order was placed on the tree on 8 December 2011. The application to fell the tree was not supported by Bottesford Parish Council who believe that the removal of large, native trees within the conservation areas of the Parish should only be undertaken if it is not expedient to protect them, i.e. if they are dead, dying, dangerous or causing structural damage (which does not include seeds in gutters).
- 3.2 It was considered that the Oak tree was important within the street scene and made a significant contribution to the visual amenity of the area.
- 3.3 The Grounds of The Ferns 63-65 High Street Bottesford, Tree Preservation Order, 2011 (Ref: 151/904/14) was served on 8 December 2011 in the form of an order which specified the individual tree.
- 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 8 June 2012 to reach a decision.

4. OBJECTION TO THE ORDER

- 4.1 The owner of the tree, Mr Graeme Morgan, has registered his objection to the Provisional Tree Preservation Order, on the following grounds:
- The tree does not contribute to the streetscene or the area due to its close proximity to the back of 63 High Street, Bottesford and the number of other trees within the vicinity.

5. SUPPORT FOR THE ORDER

- 5.1 Councillor Chandler stated during the course of the application that there was considerable concern relating to the request to fell an Oak Tree due to "low amenity value" in the grounds of the Ferns, 63 High Street. Bottesford. The tree was very much part of the street scene and unless there was evidence that it was causing structural damage either to the Ferns or adjacent properties then she felt that other remedial action should be considered prior to going along with the request to fell the tree.

6. ASSESSMENT

6.1 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.

- 6.2 The amenity value of the tree is good as it is visible from the High Street and is an immature specimen with potential for further growth.

- 6.3 As part of the original consultation exercise, prior to determination of the TPO application, an inspection of the tree was carried out by the Council's specialist arboricultural advisor who noted that although the amenity value of the oak had been compromised by previous pruning works it still contributed to the biodiversity and amenity value of the area.

The advisor stated that the oak tree was in the early to middle stage of its lifecycle and was in good health. The tree was similar in age to the adjacent property (approximately 100 years of age) and had previously been reduced in size, thereby lowering its amenity value.

The advisor felt that as the tree continued to mature and develop in size the tree would be likely to greatly contribute to the local amenity value for a number of decades.

7. CONCLUSION

- 7.1 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 High Street in Bottesford, it is recommended that the Tree Preservation Order be confirmed.



Contact Officer:
Date:
Background

Karen Jensch
28 February 2012
Provisional TPO: 63-65 High Street, Bottesford
Letter of objection from Mr G Morgan 63 High Street, Bottesford