

DECISION

Report to planning committee

COMMITTEE: Planning Committee

TITLE: Town & Country Planning Act 2012
Town & Country Planning (Trees)
Regulations 1999
Tree Preservation Order No.150 (2013)
Land adjacent to
31 Banbury Street, Talke (ST7 1JG)

SUBMITTED BY: Head of Operations

1 Purpose

- 1.1 To advise members of the Planning Committee that the above order was made using delegated powers on 22nd October 2013, and to seek approval for the Order to be confirmed as made.

2 Background

- 2.1 The Order protects a single sycamore tree on vacant land behind the Cooperative Food Store on Cedar Avenue and to the west of 31 Banbury Street, Talke.
- 2.2 The Order was made to safeguard the longer term visual amenity that the tree provides arising from concerns that it might be felled as part of a proposed development to construct fifteen dwellings on the site had been received by the councils Planning Department in October 2013 (Application 13/00785/FUL). Ring barking had been carried out to all of the trees stems and the application included for the removal of the tree. However it is considered that the tree will recover from the damage and should be retained. The planning application was subsequently withdrawn.
- 2.3 A further planning application was received in January 2014 for 13 dwellings on the site (14/00027/FUL) which includes for the tree to be retained. This was permitted at the Planning Committee meeting of 11 March 2014.

3 Issues

- 3.1 The tree is a mature sycamore with four stems, growing close to the eastern side of the development site, and is the only mature tree growing within the plot. The tree is clearly visible from Cedar Avenue and Banbury Street, is a significant feature, and provides an important contribution to the area. There are few other trees of a comparable standing in the area. The loss of the tree would have a detrimental

affect on the visual amenity, not only of the site but also of the locality.

- 3.2 Planning applications to develop the site were made in October 2013 and January 2014 resulting in concern that the tree could be lost.
- 3.3 Your officers inspected the sycamore tree and carried out a Tree Preservation Order assessment, and found it worthy of an Order. It is considered to be in reasonable health, visually significant and an amenity to the locality, with the prospect of continuing to provide this for many years. A Provisional Order was made and served on 22nd October 2013 in order to protect the long term well-being of the tree. No representations were received.
- 3.4 On 11 March 2014 planning permission was granted for 13 dwellings to be built on the site subject to prior approval and implementation of a detailed Arboricultural site monitoring schedule, and appropriate Arboricultural works to the sycamore tree.
- 3.5 Your officers are of the opinion that making the Order will ensure the preservation of the sycamore tree for the construction period and beyond. The trees longer-term visual amenity is best secured by the making of a Tree Preservation Order. Your officers are of the opinion that the tree, is generally healthy at present and is of sufficient amenity value to merit the making of a Tree Preservation Order. It is considered to be an appropriate species for the locality and to provide public amenity value due to its form and visibility from adjacent public locations. The making of the Order will not prevent the owner from carrying out good management of the tree, it will give the Council the opportunity to control the works and prevent unnecessary felling or lopping. The owner will be able to apply for permission to carry out maintenance work to the tree and if in the future, the tree does deteriorate in condition the owner will be able to apply for permission to carry out work which is necessary to safely manage the tree.

4 Recommendation

- 4.1 That Tree Preservation Order No 150 (2013), Land adjacent to 31 Banbury Street Talke, be confirmed as made and that the owners of the tree be informed accordingly.