

DECISION

Report to planning committee

COMMITTEE: Planning Committee

TITLE: Town & Country Planning Act 2012
Town & Country Planning (Trees)
Regulations 1999
Tree Preservation Order No.159 (2014)
Front garden of 4 Betley Hall Gardens,
Betley. CW3 9BB

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 11th July 2014, and to seek approval for the Order to be confirmed as made.

2 Background

- 2.1 The Order protects a single sycamore tree within the grounds of 4 Betley Hall Gardens, Betley.
- 2.2 The Order was made to safeguard the longer term visual amenity that the tree provides arising from concerns that it would be felled after a TPO application was made to fell the tree. The property is within Betley Conservation Area.

3 Issues

- 3.1 The sycamore tree stands within the front garden of the property on the boundary with 6 Betley Hall Gardens. It is one of three mature trees growing to the front of the properties in the immediate vicinity and is a mature single specimen, clearly visible from the Betley Hall Gardens. The tree is a prominent feature and provides an important contribution to 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 A TPO application (number 14/00442/TWA) was submitted in June 2014 for works to several trees on the property, some of which are covered by Tree Preservation Order number 16. This included the felling of the sycamore tree which, although not included in the Order, is within the Conservation Area, and resulted in concern that the tree would be lost. The reason given for felling the tree is damage caused to the existing drive surface with deflection in the vertical alignment is so severe that the drive cannot be resurfaced properly.

- 3.3 Your officers inspected the sycamore tree and carried out a TPO assessment, and found it worthy of an Order. It is considered to be in good health, visually significant and an amenity to the locality, with the prospect of continuing to provide this for many years. The Order was made and served on 11th July 2014 in order to protect the long term well-being of the tree. No representations were received.
- 3.4 Your officers are of the opinion that making the Tree Preservation Order will ensure protection of the tree and secure its longer-term visual amenity. 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. It is considered that the damage caused to the drive surface by the tree is relatively minor and that it is possible for it to be repaired and maintained in an appropriate condition. 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 159 (2014) Betley Hall Gardens, be confirmed as made and that the owners of the tree be informed accordingly.