

Confirmation of Tree Preservation Order

LAND AT PINE COURT, LOGGERHEADS.

Tree Preservation Order No 201A (2019)

Town & Country Planning Act 1990

Town & Country Planning (Tree Protection) (England) Regulations 2012

The Order protects a pine tree within the central courtyard of Pine Court, Loggerheads.

The Order was made to safeguard the longer term visual amenity that the tree provides following the felling of an adjacent pine tree and concern that it also was scheduled to be felled.

The Order was originally made using delegated powers on 12th November 2018 however time constraints resulted in the Order not being confirmed within the permitted time and it was remade on 13th May 2019. Approval is sought for the Order to be confirmed as made.

The 6 month period for this Order expires on 13th November 2019

RECOMMENDATION

That Tree Preservation Order No 201A (2019), land at Pine Court, Loggerheads, be confirmed as made and that the owners of the site be informed accordingly.

Reasons for Recommendation

Your officers are of the opinion that the longer-term visual amenity of the tree 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, a good example of its species and 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 public locations. The making of the Order will not prevent the owner from carrying out good management of the tree and it will give the Council the opportunity to control the works and prevent unnecessary cutting down, lopping, topping, uprooting, wilful damage or wilful destruction. The owner will be able to apply for permission to carry out maintenance work to the tree which is necessary to safely and appropriately manage it.

Representations

Two representations were received when the Order was first made. No further representations have been received in relation to the second making of the Order.

The first objector has sent several emails to the council with regard issues with the tree. She states that the residents have a problem with pine needles dropping on roofs and gutters, roots uplifting the path and needles covering gardens and pathways making it difficult for elderly residents to walk. They are also worried about problems with drains. In response to a tree status enquiry to the council in September 2018 it was confirmed that the two pine trees were not covered by a TPO. Subsequently tree surgeons were engaged to fell the trees but were stopped from felling the second pine. Residents are pleased that the

largest one has gone but the tree left standing is still causing the same issues. A branch has since dropped onto the path.

The second is the owner occupier of the nearest property to the tree on Heath Grove and objects to the constant necessary sweeping of pine cones and needles, and emptying needles from gutters 4 or five times per year, particularly in view of his age. Strong winds also leave him and his wife fearing that the tree could fall across their house. He was pleased when the first pine was removed and questions why the second should not also be felled.

Your officers were unaware at the time of the original enquiry that the intention was to fell the trees and did not take action until it was evident that this was proposed. Your officers consider that despite the loss of the first pine tree the remaining tree is worthy of retention. The quantity of pine needles dropped and other concerns are not considered to be out of the ordinary and are consistent with similar trees of this type, and the loss of the first tree is likely to reduce these issues. With good maintenance the remaining tree can be retained and its surroundings appropriately managed.

Issues

The tree is a Scots pine, the only remaining tree in a central position within the Pine Court development in Loggerheads. It is clearly visible from Newcastle Road, Heath Grove and Pine Court. Following information received from a local resident, your officers visited the site on 12th November 2018 to find that one of two pine trees was being dismantled and that it was proposed to also remove the second tree. Your officers carried out a TPO assessment of the second tree 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. The Order was made and served on 12th November 2018 and remade on 13th May 2019 in order to protect the long term well-being of the tree. It is an important feature to the locality and provides a significant contribution to the area. Its loss would have a detrimental effect on the visual amenity, not only of the site but also to the locality. The loss of the adjacent pine has increased the trees visual amenity value.

Date report prepared

21 June 2019