

Application No. 15/00005/TPO

Agenda Item

Grid Ref: 303218:114350

Location: Recreation Ground,  
Lower Town,  
Sampford Peverell



**AGENDA ITEM**

**PLANNING COMMITTEE**  
29<sup>th</sup> July 2015

**REPORT OF THE HEAD OF PLANNING AND REGENERATION**

**CONFIRMATION OF TREE PRESERVATION ORDER 15/00005/TPO**

**Reason for Report:**

To consider whether a Tree Preservation Order should be confirmed in light of the objections that have been received.

**RECOMMENDATION(S)**

That the Tree Preservation Order is confirmed

**Relationship to Corporate Plan:**

The proposal impacts upon the Corporate Plan Priority 'Caring for our Environment'.

**Financial Implications:**

None

**Legal Implications:**

None

**Risk Assessment:**

None

**Consultation carried out with:**

1. Consultation with the Mid Devon District Council Tree Officer informs the following report.

## **1.0 DESCRIPTION/SITE HISTORY**

1.1 The Tree Preservation Order was made in response to a Conservation Area tree works notification that was made in respect of a number of trees on the site at the Recreation Ground, Lower Town, Sampford Peverell. The Tree Preservation Order specifically protects the group of three Birch Trees situated at the roadside frontage of the recreation ground due to their perceived amenity value and the lack of arboricultural justification for the proposed works.

1.2 Two letters of objection have been received in relation to the Tree Preservation Order; these letters were received on the 25<sup>th</sup> of June 2015 and the 17<sup>th</sup> of June 2015.

1.3 Mid Devon District Council's tree officer was consulted as part of this process, and her response informs the following report.

## **2.0 AMENITY EVALUATION**

2.1 The trees add significant amenity/landscape value to the surrounding area due to their central village location and prominence on the roadside frontage of the recreation ground. Following an amenity assessment of the trees and an evaluation of the proposed works, it was deemed necessary to place further protection on them, in the form of a Tree Preservation Order.

## **3.0 REPRESENTATIONS**

3.1 Two objections to the TPO have been made on the following grounds:

- Concern for the safety of those occupying nearby land, and those using the nearby highway, pavements and the recreation ground itself, including children
- Concern over the impact of the trees on overhead wires owned by utility companies
- The trees are encroaching on private property resulting in damage due to falling branches and subsequently causing a nuisance
- The proposed pruning is sympathetic and a qualified tree surgeon advised the works to the trees were necessary and would not cause harm to them
- The trees are top heavy

## **4.0 MATERIAL CONSIDERATIONS AND RESPONSE TO THE OBJECTIONS**

4.1 This Tree Preservation Order was made on the most significant trees in the recreation ground in response to a section 211 notice, the Conservation Area Tree application proposed pruning works to the Birch Trees and the removal of one limb from one of the trees.

4.2 The 3 trees subject to TPO 15/00005/TPO are found along the southern boundary of the site. The TPO on all three Birch Trees has been objected to.

4.3 This Tree Preservation Order was made to protect the visual amenity of the Birch trees in this central village location. Mid Devon District Council Tree Officer felt that there was little arboricultural justification for the proposed pruning works. Tree works were suggested for the majority of the trees within the play area at Sampford Peverell but it was the mature Birch trees at the front of the area that provide the most amenity value, it was only these trees that were made subject to the Tree Preservation Order.

4.4 One Birch tree has a large secondary limb which could almost be regarded as a secondary leader. It was proposed that this limb was removed back to the stem of the tree. This pruning could potentially cause significant damage to the Birch tree. Birch trees are known to decay very rapidly following excessive pruning. To create a pruning wound this large on a tree of this age is likely to reduce its safe life expectancy considerably. The branch union appeared strong, with some signs of compression, with a small ridge beneath the branch bark ridge. The MDDC Tree Officer does not consider this tree to be dangerous and the tree is not enough of a hazard to justify the removal of the entire limb. Ideally Birch trees would be pruned very lightly if it was necessary at all. It is regarded as bad practice to reduce the height of Birch trees. Decay following such pruning can be very rapid and make the tree susceptible to decay organisms such as Piptoporus betulinus.

4.5 The crown spread of the tree is not vast and a 2m crown reduction would be a significant portion of the crown on trees which do not respond well to pruning. MDDC Tree Officer felt that the proposed pruning work was not justified and could potentially lead to the trees looking unsightly, being at increased risk of disease and ultimately requiring removal.

4.6 The trees are fully mature and a significant feature of the street scene. The Tree Preservation Order does not serve to hinder good tree management, and as discussed with the Parish Council pruning around the telephone wires would be considered de minimus work. The pruning specified for the Birch trees was enough to alter the appearance and reduce the amenity value of the trees.

## 5.0 CONCLUSION

5.1 The Birch trees subject to this Tree Preservation Order are worthy of protection. The trees are of significant amenity value and the proposed works were not sufficiently arboriculturally justified and would likely cause significant damage and decay to the trees. It is recommended that the Tree Preservation Order be confirmed.

<b>Contact for any more information</b>	Miss Hannah Cameron, Tel. 01884 234218
<b>Background Papers</b>	15/00521/CAT
<b>File Reference</b>	15/00005/TPO
<b>Circulation of the Report</b>	Cllrs Richard Chesterton Members of the Planning Committee