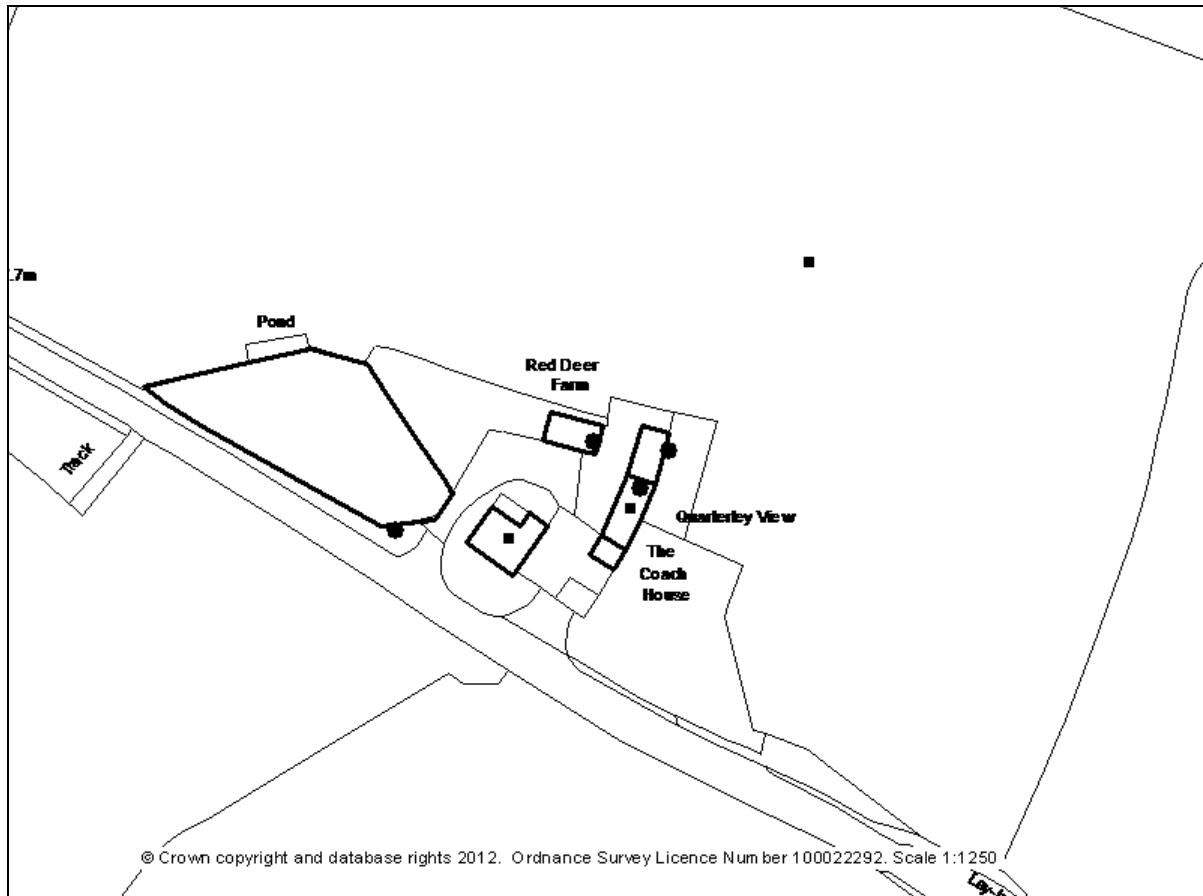


Application No. 16/00001/TPO

Grid Ref: 123511 : 289165

Location: Red Deer House
Oakford Tiverton
Devon



REPORT OF THE HEAD OF PLANNING AND REGENERATION

**CONFIRMATION OF TREE PRESERVATION ORDER 16/00001/TPO
RED DEER HOUSE, OAKFORD**

Reason for Report:

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

RECOMMENDATION

That the Tree Order be 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. Those with an interest with the land.

1.0 DESCRIPTION/HISTORY

- 1.1 The tree preservation order was made following an expression of concern that the trees were under threat due to the building and landscaping work being carried out at the property.

A woodland order was made to protect the entire small woodland. The woodland is an important feature in the landscape and typical for the area being a small mixed species copse. It is clearly visible from the B3227, in both directions. The amenity value of the woodland is considered to be good enough to warrant protection by the Tree Preservation Order.

An objection was received following the serving of 16/00001/TPO at Red Deer House, Oakford.

2.0 AMENITY EVALUATION

2.1 For the surrounding area the trees have significant amenity value. Following an amenity evaluation of the trees it was deemed necessary to place further protection on them, in the form of a Tree Preservation Order. This was served on 19th February 2016.

3.0 REPRESENTATIONS

3.1 The following summarised objection was received from the occupier of Red Deer House:

1. The trees are under no threat and therefore no TPO required.
2. Ensuring that the trees are safe to highway, utilities and sewerage treatment unit, will be difficult if TPO imposed.
3. Trees are under good management with expert advice sought – so no TPO required.

4.0 MATERIAL CONSIDERATIONS AND RESPONSE TO THE OBJECTION

4.1 Whether the trees are under threat – it is clear that there was no real intention to destroy the trees on the site but the piling of building material and soil is likely to have a detrimental effect on the health of the trees. This has been discussed with the tree owners and action is due to be taken, by removing built up soil and rubble. Ground disturbance poses a very serious threat to trees and while the effects may not be immediately obvious it can prove to be detrimental in the longer term. Some clearance of smaller scrubby species has been done and the thinning out of overcrowded areas by removing smaller sycamore trees.

- Simple inspection is the best way to ensure that trees are kept in a safe condition, an inspection by a suitably qualified person will highlight any remedial action required. The TPO does not affect the duty of statutory undertakers. The sewerage treatment plant in the garden to the west of the property has now been suitably cleared and this open area can be easily maintained.
- At the time of the MDDC Tree Officer site visit there seemed to be little essential tree work necessary. The unnecessary pruning, topping of trees is easily controlled with the TPO. Mid Devon District Tree Officer disagrees with the owners appointed arborist, regarding the need to prune the large Oak tree discussed in the objection letter because the tree appeared to be in good health and suitable for the setting.

- No application is required to remove dead or dangerous material or trees from the woodland. In this environment, ideally deadwood would be left in situ where it was safe to do so, as it provides a range of habitats, increasing biodiversity. The Tree Preservation Order does not serve to stop the good management of woodland.

5.0 CONCLUSION

5.1 The woodland is a good and suitable landscape feature and as such its protection is justified. The Tree Preservation Order does not serve to stop good management. It is recommended that the Tree Preservation Order be confirmed.

Contact for any more information	Cathy Lynch 01884 234304
Background Papers	None
File Reference	16/00001/TPO
Circulation of the Report	Cllrs Richard Chesterton Members of the Planning Committee