

REPORT OF THE HEAD OF PLANNING AND REGENERATION

**PROPOSED DELETION OF TREE PRESERVATION ORDER
06/00016/TPO AND REPLACEMENT WITH 11 SEPARATE TREE
PRESERVATION ORDERS TO COVER THE SAME TREES AT
HOWDEN COURT, AUBYNS WOOD AVENUE, LITTLE HOWDEN,
HOWDEN HAYES, HOWDEN HOUSE, AUBYNS WOOD RISE AND
UPPER HOWDEN, TIVERTON, DEVON**

Reason for Report:

It is proposed to delete TPO 06/00016 and to replace it with 11 separate Tree Preservation Orders. To keep Members of the Planning Committee informed regarding changes to the Tree Preservation Order(s) covering the trees in the Howden Court area of Tiverton.

RECOMMENDATION:

That the report be noted.

Relationship to Corporate Plan:

Tree Preservation Orders contribute to the Corporate priority of Environment.

Financial Implications:

None

Legal Implications:

The correct legal process of deleting the existing order and making those new must be followed. Once confirmed the Tree Preservation Order will require owners to submit applications before carrying out works to the trees.

Risk Assessment:

None identified

- 1.0 Tree Preservation Order (TPO) 06/00016/TPO covers a large area and number of trees in the Howden Court area of Tiverton. It was made as an Area Order and accordingly covers all trees of any species on and within the boundary of the order.

The TPO was imposed in 2006 as the area had been allocated for development. As the trees formed an important characteristic of the site it was considered necessary to ensure their protection throughout the development period. TPO 06/00016 covers a very large area and it was always intended that the Area TPO would be reviewed and rationalised when capacity allowed. Owners and occupiers of properties in the area have requested the 06/00016/TPO be revised in order to remove what is a blanket protection of all trees.

- 1.1 The Council's Tree Officer has now reviewed the original TPO. As a result it is considered appropriate for a series of individual TPOs be made relating to individual trees, groups of trees and woodland areas of trees that are worthy of on-going protection. This will also require the deletion of the original area TPO 06/00016. In each case the relevant landowner(s) and interested persons will be notified of both the deletion and making of TPOs and given the opportunity to submit representations. Each of the 11 TPOs identify by way of a schedule the individual trees, groups and woodland areas that they are proposed to cover.
- 1.2 A copy of each of the 11 separate TPOs is attached to this agenda report. The Head of Planning and Regeneration has wide delegated authority under the Planning Acts. This includes the making, amending and deletion of tree preservation orders under the Town and Country Planning Act 1990 (as amended). Accordingly this report is brought to Members for information only with a recommendation that it be noted.

Contact for any more information

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Background Papers

06/00016/TPO

File Reference

Attached:
17/00005/TPO; 17/00006/TPO;
17/00007/TPO; 17/00008/TPO;
17/00009/TPO; 17/00010/TPO;
17/00011/TPO; 17/00012/TPO;
17/00013/TPO; 17/00014/TPO;
17/00015/TPO

Circulation of the Report

Cllrs Richard Chesterton
Members of Planning Committee