

AGENDA ITEM NO.16

PLANNING COMMITTEE

Date	14 NOVEMBER 2012
Title	TPO 11/2012, 89 UPWELL ROAD, MARCH

1. PURPOSE

The purpose of this report is to advise members of the current situation in respect of confirmation of a Tree Preservation Order (TPO) at 89 Upwell Road and to determine an appropriate course of action.

2. SUMMARY

Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and confirmations are only referred to this Committee where objections to the Order are received. The Ash tree is prominent, particularly from the east and provides screening between 99 and 89 Upwell Road. The tree is of long term potential and contributes to the landscape and character of the area. The decision to seek its retention was made in September 2012.

The aforementioned Ash tree is located to the front of the property in close proximity to the boundary with 99 Upwell Road.

3. RECOMMENDATION

It is recommended that members confirm the TPO in respect of the Ash tree at 89 Upwell Road, March.

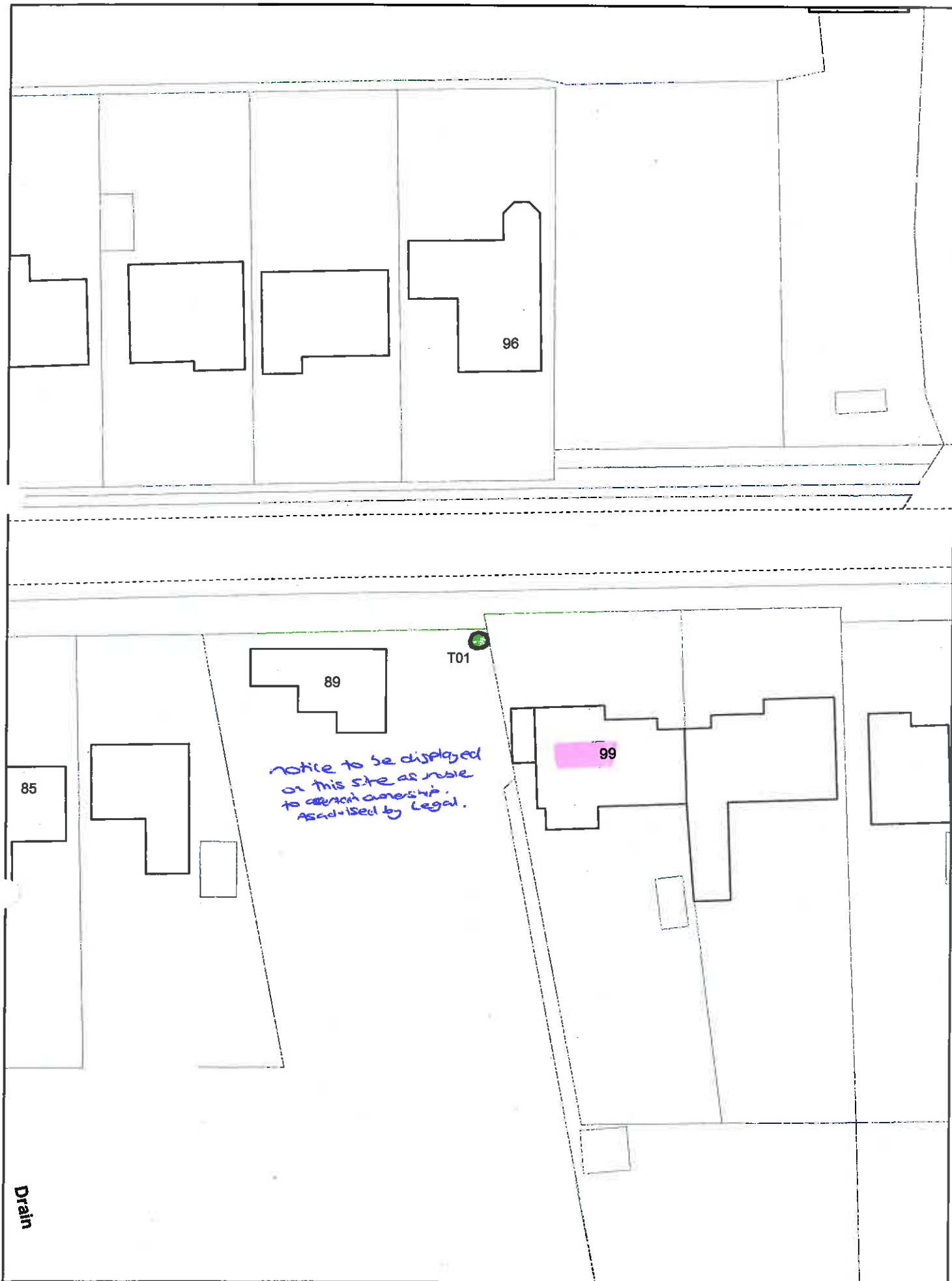
Forward Plan Reference No. (if applicable)	Not applicable
Portfolio Holder(s)	Not applicable
Report Originator	John Tierney
Contact Officer(s)	Alison Callaby, Planning Performance Manager
Background Paper(s)	TPO11/2012

1. BACKGROUND

- 1.1 Following a review of the site in response to an application for notification of demolition of a dwelling and outbuildings it became apparent that the Ash tree is worthy of preservation and authority was sought to issue a TPO. The Order was subject to a 28 day period for the receipt of any objections prior to final confirmation.
- 1.2 One letter has been received from the owners of 99 Upwell Road. The letter gave the following reasons for objecting to the confirmation of the TPO:
- The tree is at present uplifting around 3 m. sq. of driveway slabs. It is also putting pressure on fence and with the strong winds, it could easily cause even more damage, especially with cars parked on the driveway;
 - Main services such as water supply, sewerage, drainage and gas all run along the side of the property where the ash is located.
 - When they [objectors] moved into their property in 2010 a land survey outlined;
 - 'some large trees within the vicinity of the house including an Ash tree overhanging the fence (located on neighbouring property). Trees can cause damage to buildings and services in areas of shrinkable soils. No consequent problems were noted at the time of inspection but periodic pruning of trees adjacent to the house area recommended and your ability to carry out this work will be affected by the cooperation or otherwise, of the neighbouring owner who may need to be put on notice if trees are left untended'.
 - 'Due to there being nobody at the property, nobody has looked after the tree, and it has increased in size and has done increasingly more damage to our property'.

2. ASSESSMENT

- 2.1 The Order, which encompasses the aforementioned Ash tree, is detailed on the accompanying plan.
- 2.2 The placement of a TPO does not prevent work to the tree or even its future removal, but gives the Local Planning Authority control over 'inappropriate' works. The FDC Arboricultural Officer has inspected the Tree and the neighbouring property at 99 Upwell Road and confirms that there is an area of block paving that is being lifted by roots, likely from the Ash tree.
- 2.3 Notwithstanding this, it is considered that if this TPO is confirmed the neighbours could still apply to have the crown cut back from their drive and it is likely that we would allow a degree of crown pruning. This has been discussed with the neighbours.
- 2.4 The Ash tree is of long term potential and contributes to the landscape and character of the area if properly managed and maintained. It is, therefore, recommended that the TPO is confirmed.



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TPO 11/2012
TPO at 89 Upwell Road, March
T01 Ash

