

AGENDA ITEM NO. 7

PLANNING COMMITTEE

Date	14 October 2015
Title	TPO 03/2015 – 1 Black Locust

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 Bricklayers Arms, Station Road, Whittlesey.

2. SUMMARY

Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and only where objections to the Order are received are some matters referred to this committee.

The grounds for making the Order are that the tree is a mature specimen providing high landscape and amenity value and making a significant contribution to the character of the area. The tree is prominent and clearly visible in the street scene and worthy of retention.

It is considered that the loss of this tree would have a significant adverse effect on local amenity and therefore it merits the protection of a TPO.

The decision to seek the retention of these trees was made in April 2015.

The trees subject to this TPO are located within curtilage of The Bricklayers Arms Public House, 9 Station Road, Whittlesey.

3. RECOMMENDATION

It is therefore recommended that members confirm the TPO in respect of the specified tree at The Bricklayers Arms PH, 9 Station Road, Whittlesey.

Portfolio Holder(s)	Not applicable
Report Originator	Rebecca Norman, Senior Development Officer
Contact Officer(s)	Graham Nourse, Head of Planning
Background Paper(s)	-

1. BACKGROUND

- 1.1 During consideration of planning application F/YR15/0716/F it became apparent that development on the land would involve the loss of a Black Locust tree which is considered worthy of protection due to its amenity value in the area. Therefore the Local Planning Authority sought to issue a TPO. The Order was subject to a 28 day period for the receipt of any objections prior to final confirmation.

2. OBJECTIONS

- 2.1 A letter of objection has been received on behalf of the applicants' which was received on 27th April 2015. A letter was received on 13th May 2015 from a neighbouring resident objecting to the TPO which was made on 12 December 2014. The objections are set out below with counter comments from the Council's Arboricultural Officer.

The points of objection from the neighbour, in summary, relate to the proximity of the tree to the objector's property, the overhanging branches and the threat of roof damage and the TPO resulting in restrictions to works to the tree and ongoing threats to the neighbour's property.

- 2.3 The point of objection made on behalf of the applicant is that the tree is in a potentially dangerous condition as a result of infection by the fungus known as *Laetiporus Sulphureus*.

3. COUNCIL'S ARBORICULTURAL OBSERVATIONS ON ABOVE OBJECTIONS.

- 3.1 The Council's Arboricultural Officer responds to the above objections as follows:

A decay detection test would be required as the fungus can persist for years without leading to stem failure. If the developer subsequently provides a report that justifies the removal of the tree then it can be dealt with as a normal TPO works application.

4. CONCLUSION

- 4.1 Following receipt of the above objections to the confirmation of TPO 03/2015, the proposed Order has been reviewed. The placement of a TPO does not prevent tree works or even removal, but gives the Local Planning Authority control over 'inappropriate' works.
- 4.2 It is therefore recommended that the TPO is confirmed in accordance with the Order TPO 03/2015.



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**TPO 03/2015
Bricklayers Arms
9 Station Road
Whittlesey**

