

Item 13

ITEM NO.

REPORT TO DEVELOPMENT CONTROL

1 June 2007

REPORT OF HEAD OF PLANNING

Planning and Development Portfolio

Tree Preservation Order No. 47/2006 Joseph Hopper Terrace, West Cornforth

1. SUMMARY

- 1.1 A provisional Tree Preservation Order (TPO) was made at the above site on 12 December 2006. The purpose of this report is therefore to consider whether it would be appropriate to make the Order permanent.
- 1.2 The Town and Country Planning Act 1990 enables Local Planning Authority (LPA) to make a TPO if it appears to be “expedient in the interests of amenity to make provision for the preservation of trees and woodlands in their area”. The Order must be confirmed within 6 months of being made or the Order will be null and void. The serving of the TPO is normally a delegated function, whilst the confirmation is by the Local Planning Authority.
- 1.3 The tree that is the subject of the Order provides amenity value to the area and is considered worthy of protection to preserve the character of the main street through the village.

2 RECOMMENDATIONS

- 2.1 It is recommended that Committee authorise confirmation of the Order.

3. BACKGROUND

- 3.1 At the time that the Order was served the tree was subject to enquiries as to the status of the tree. No protection existed and the enquiry indicated that the tree would be felled.
- 3.2 The tree provides public amenity along Vicarage Road. The tree stands on the perimeter of the front garden, partly screens the built environment and softens the landscape impact of a row of bungalows. The tree provides a skyline feature in a heavily hard landscaped area.

4 CONSULTATIONS

- 4.1 Under the terms of the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999, the Order was served on the owners of the land, and the owner/occupiers of all adjacent properties that may be affected by the Order. The parties were invited to make representations within 28 days of the date the Order was served, in order that comments could be reported to Committee.
- 4.2 One letter of objection was received containing 10 signatures. One letter of support, from the Parish Council was received.

5. Objections to the Order and comments on the objections

5.1 The tree no longer enhances the area

The tree was pruned recently to give statutory clearance from the electrical supply cables and, in addition, was reduced in height slightly and the crown rebalanced. This work was carried out to a very high standard and with great care.

The larger pruning wounds are beginning to callous over satisfactorily with no decay fungi or cavities evident. Although more than 30% of the canopy has been removed it is believed that this will not contribute to any lasting decline in tree health if the tree is allowed to grow from its present canopy shape.

The clearance from the electrical cables has now been achieved with only very minor lopping works required in the medium term. The tree is in good condition with a balanced crown and has a considerable remaining life span.

The front gardens of the Aged Miners Cottages are 15m long and laid down to grass. This large amenity area contains only one tree. The single tree is 15 metres from the nearest dwelling and isolated from other mature trees. Most of the mature trees in the vicinity are in poor condition and have a short life expectancy. This tree has a long life expectancy.

5.2 The roots may cause problems

As already stated the tree is 15 metres from the nearest dwelling and there is no evidence that the tree has or could cause damage. No specific problems have been identified by the objectors.

Background Papers

- Item a Tree Preservation Order 47/2006: Plan and Schedule
- Item b TEMPO evaluation
- Item c Letter of objection



**SEDGFIELD BOROUGH COUNCIL
TREE PRESERVATION ORDER
47/2006**
Location
Joseph Hopper Terrace, West Cornforth

This map is referred to in the
Sedgefield Borough Council
Tree Preservation Order 47/2006

OS Grid Reference
NZ 431272,534348

Legend
 • Individual Tree eg T1 etc.
 [] Indicative Boundary
 ⊕ OS Grid Reference
 Scale 1:500

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Signed
Mayor: *Ellie Lucy Woods*
 Authorised Signatory: *Devin Allen*
 Date: *12 December 2006*

Glyn Hall, Director
Neighbourhood Services
Sedgefield Borough Council
Council Offices
Spennymoor
DL16 6JQ


SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on TPO 47/2006 map	Description	Location
T1	Sycamore	Front garden 7 Joseph Hopper Terrace

Groups of Trees
(within a broken black line on the map)

Reference on map	Description (including number of trees in the group)	Situation
	None	

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on map	Description	Situation
	None	

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
	None	

Item b

TREE EVALUATION METHOD FOR PRESERVATION ORDERS		
SURVEY SHEET AND DECISION GUIDE		
	Tree/Group No.	Species;
Surveyor; Rodger Lowe	T1	Sycamore
Owner; Aged Miners Association		
Location; Joseph Hopper Terrace		
Date; 10 December 2006		
<u>PART 1; Amenity Assessment</u>		
a) Condition and suitability for Tree Preservation Order		
Refer to Guidance Note for definitions		
Score		
5) Good	Highly suitable	5
3) Fair	Very suitable	
1) Poor	Unlikely to be suitable	
0) Unsafe, Dead	Unsuitable	
b) Longevity and suitability for Tree Preservation Order		
Refer to 'Species Guide' section in Guidance Notes		
Score		
5) 100+	Highly suitable	
4) 40 -100+	Very suitable	
2) 20 - 40	Suitable	3
1) 10 - 20	Just suitable	
0) < 10	Unsuitable	
c) Relative public visibility and suitability for Tree Preservation Order		
Consider realistic potential for future visibility with changed land use		
Score		
5) Very large trees, or trees that are a prominent skyline feature	Highly suitable	
4) Large trees, or medium trees clearly visible to the public	Suitable	4
3) Medium trees, or larger trees with limited view only	Just suitable	
2) Small trees, or larger trees visible only with difficult	Unlikely to be suitable	
1) Young, very small trees or trees not visible to the public	Probably unsuitable	
d) Other factors		
Trees must have accrued 7 points or more (with no zero scores) to qualify		
Score		
5) Principal components of arboricultural features, or veteran trees		
4) Members of groups of trees that are important for their cohesion		

3) Trees with significant historic importance	
2) Trees of particularly good form, especially if rare or unusual	
1) Trees with none of the above	1

Part 2; Expediency assessment

Trees must have accrued at least 7 points to qualify

	<u>Score</u>
5) Known threat to trees	5
3) Foreseeable threat to tree	
2) Perceived threat to tree	
1) Precautionary only	
0) Tree known to be actionable nuisance	

Part 3; Decision Guide

Score Total

Decision

		<u>Score Total</u>	<u>Decision</u>
Any 0	Do not apply TPO		
1-6	TPO indefensible		
7-10	Does not merit TPO		
11-13	Possibly merits TPO		
14+	Definitely merits TPO	18	TPO 47/2006

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11the January, 2007.

PETITION FOR THE REMOVAL OF LARGE TREE FROM
OUTISDE NUMBERS 7 AND 8 JOSEPH HOPPER TERRACE,
WEST CORNFORTH.

While we apreciate the importance of preserving trees, we believe that this tree no longer enhances the overall appearance of the terrace, because it has had to be drastically reduced due to the interference of some of its brances with the telephone wires.

We also believe that, in the future, the roots could cause problems.

E Simpson
J. Davis
R. Sproat
R. Sproat
G. Smith
L. Pears
R. Pears
M. Bowman
J. Dunn
H. Green

DEVELOPMENT CONTROL
RECEIVED
12 JAN 2007

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