

APPLICATION NO.	TPO 14V03
APPLICATION TYPE	Tree Preservation Order Confirmation
REGISTERED	
PARISH	Blewbury
WARD MEMBERS	Janet Shelley
APPLICANT	
Site	Water's Edge, Church End, Blewbury, Oxon, OX11 9QH
PROPOSAL	Tree Preservation Order Confirmation
AMENDMENTS	
GRID REFERENCE	SU 453104 185984
OFFICER	Tim Stringer

1.0 INTRODUCTION

- 1.1 The council received a notice of intent to fell three ash trees and one hawthorn under Town & County Planning Conservation Area legislation in March 2014. An assessment by the tree officer found that one of the ash trees was in a declining condition and that the hawthorn was of insufficient size to make a contribution to the public visual amenity. The other two ash trees were found to be in good condition and made a significant contribution to the visual amenity of the landscape. Despite being in the rear garden, they are visible from the front of the property and from elsewhere within the village.
- 1.2 The tree owner was advised that authorisation would be given for the removal of the hawthorn and one of the ash but that the loss of the other two ash would be resisted. This was not acceptable to the tree owner so, to ensure the long term retention of the trees, a tree preservation order was made and served.
- 1.3 A planning application for a rear extension of the dwelling was made after the initial notification to fell the trees was received. Consideration was given to the impact of the development on the two ash and also the impact that the trees might have on the future use of the garden. The tree officer's opinion was that there were no adverse arboricultural impacts and planning permission was granted.
- 1.4 A location plan is attached at appendix 1

2.0 PROPOSAL

- 2.1 To confirm Tree Preservation Order 14V03
- 2.2 A copy of the order is attached at appendix 2.

3.0 CONSULTATIONS and REPRESENTATIONS

- 3.1 Two objections were received, one by the tree owner and the other by the immediate neighbour to the east. These were received and acknowledged within the time period specified.
- 3.2 The objections, in summary, were that:
- i) The trees are prone to alarming movement in strong winds which will be increased because of adjacent tree will be removed.
 - ii) Perception of damage (mainly in high wind).
 - iii) Low impact on the amenity to the village.

- iv) Disproportionate size in relation to garden, causing overshadowing.
- v) The two ash are affecting yews growing elsewhere in garden.

4.0 POLICY AND GUIDANCE

- 4.1 The adopted Vale of the White Horse Plan 2011 recognises the contribution of trees as important landscape features and biodiversity resources within the district and commits the council to preserving and retaining trees. These aims are embodied in policy DC6 and policy HE1 of the local plan.
- 4.2 The trees are included in the tree preservation order because they are considered to have significant amenity value. This is entirely consistent with section 198 of the 1990 Act which states that a tree preservation order can be made if it appears to a local authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area. It is considered that the loss of the trees would be detrimental to the visual amenity of the local landscape and diminish the character of the conservation area.
- 4.3 An assessment of the trees which are the subject of this order found that they appear in good health and are capable of standing for a number of years. The trees were free from any significant defects which could weaken the trees and leave them vulnerable. Wind induced movement of trees is a naturally occurring process and trees develop physiological characteristics, such as secondary cell wall thickening, in response to stem movement.
- 4.4 The impact on the retained trees of the removal of the single unprotected ash was considered when the council served the tree preservation order.
- 4.5 Whilst it is acknowledged that any tree within falling distance of buildings has the potential to cause damage if they fall, an assessment was made that demonstrated in this situation the risk was low and acceptable.
- 4.6 It is clear that sufficient room is available for these trees to co-exist harmoniously with the buildings, as has been evident for many years. Even with the extension to the property, for which planning permission has recently been granted, there is adequate room.
- 4.7 The yew trees located at the rear of the garden have co-existed with the ash for many years, and can continue to do so under appropriate arboricultural management.

5.0 RECOMMENDATION

- 5.1 To confirm tree preservation order No. 14V03 as made and without modification.

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