

MISCELLANEOUS ITEM

38/12/0265 – ERECTION OF 7 DETACHED DWELLINGS ON LAND TO THE REAR OF 14-28 STOKE ROAD, TAUNTON

A letter has been received from Gadd Properties Ltd requesting an amendment to the approved landscaping scheme under condition 04.

Following clearance of undergrowth it is evident a beech tree has been incorrectly plotted on the original survey commissioned and submitted by the developer. The tree is multi-stemmed and stands alone from the hedge it had grown out of and is located in the proposed drive of plot 4 instead of the garden of plot 5. The tree is not an attractive form commensurate with its species and it is considered by the Landscape Officer that it would not have a long term future as a tree that would make a worthwhile contribution to the street scene.

It has been proposed to remove the tree and replace it with a semi-mature maple, especially bred for urban streets (4.5-5.5m high). The time of planting will be simultaneous with the removal of the beech and the new tree would be protected by fencing until completion of construction.

Given the history of the planning application, it was considered appropriate to consult with those people who have previously made comments on the application and report any responses to the committee.

REPRESENTATIONS

The Council has written to local residents who previously made representations on the original application to seek their views:

5 letters have been received concerned over loss of the tree and impact on the sensitivity of the area. These letters also raise the following points:

- The property should be altered and handed to move the drive and retain the tree.
- If allowed it should be replaced like for like.
- Why report to committee if already decided?
- Conditions have been broken.

1 letter received on behalf of 7 properties raising no objection.

1 letter from applicant's solicitor referring to unjustified complaints, concern that the matter is not dealt with at Officer level given the tree is multi-stemmed, misshapen and incongruous in the street scene, is not worthy of a TPO and its replacement has been agreed with the Landscape Officer. Undue credence is given to complaints intent on thwarting development.

CONSIDERATIONS

The developer has approached the Council to request that the approved landscaping scheme is amended in order to overcome their error.

The Landscape Officer considers the removal of the existing tree and its replacement as acceptable under the terms of the condition. The existing tree was indicated as being retained by the applicant and not at the insistence of the Authority. The tree is not suitable to be subject to a protection order and provided that a suitable replacement tree is planted, this would maintain the character of the area.

There is not considered to be justification for retaining the existing tree. Altering the existing dwelling design and handing it would require a separate application to the Authority, which is considered possible but would be a disproportionate response if it was insisted on in this instance.

RECOMMENDATION

The committee accept the amended landscape drawing in compliance with the condition.