

38/2004/449T

MR & MRS S ROBINSON

APPLICATION TO FELL ONE ASH TREE INCLUDED IN TAUNTON DEANE BOROUGH (STOKE ST MARY NO.2) TREE PRESERVATION ORDER 1984 AT 16 KILLAMS CRESCENT, TAUNTON (TD 312)

2381/2281 FELLING OF TREE(S) COVERED BY TREE PRESERVATION ORDER

PROPOSAL

The application proposes to fell a protected ash tree at the rear of the property.

The tree was protected in 1984, before the development of Killams Crescent. The current owner wishes to sell the property. The prospective buyer's building surveyor has reported that the tree is closer than the 2/3 mature height recommended by the Council. The prospective purchaser would like to be assured that the tree could be felled before buying the property. The owner wishes to have permission to fell or reduced the height of the tree to enable the property to be sold.

The owner made an earlier application, in August this year, to reduce the height of the tree by 50%. The case officer advised the applicant that this work would not be approved and recommended that the application should be withdrawn and a new application made with the proposal to fell the tree. This the applicant has done.

CONSULTATIONS AND REPRESENTATIONS

FIVE LETTERS OF OBJECTION have been received raising the following issues:- the residents to the west of the property, who jointly own the green space adjacent to the tree have expressed the opinion that the trees contribute highly to their amenity; they would however be happy for the tree to be reduced in height; one representation reports that the trees are ancient; many of the representations are confused that, only one of the ash trees is protected by a tree preservation Order and why there was an earlier application to reduce the trees by 50%.

POLICY CONTEXT

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ASSESSMENT

The tree is one of a pair of ash trees emanating from an old hedgerow. The hedgerow remains but the trees are suppressing other hedgerow plants. Only one tree is protected; either a mistake occurred in making the order or one of the trees has grown considerably well in recent years.

The tree is about 20 m tall and is about 10 m away from the house, it appears to be in good health at present but because it has developed from former hedgerow material it may have a limited future and will not be as secure as a maiden tree would be. It will be difficult to reduce the height of the tree; the tree has no low limbs and would appear butchered if it were drastically reduced in size. . The tree has a high amenity value and is highly visible from Killams Crescent and Killams Drive. There are many other trees in the area, some old pre development trees and some recently planted trees that are beginning to have a strong impact upon the scene. The loss of the tree would be particularly noticeable from the entrance to Killams Crescent but would be less noticeable elsewhere because of the amenity afforded by other trees in the neighbourhood.

The tree has a limited future as large specimen and would be best maintained in this situation by being periodically coppiced and then allowed to regenerate. It would not be appropriate to reduce this tree significantly without it looking butchered.

RECOMMENDATION

Permission be GRANTED subject to conditions that the tree is felled at ground level but allowed to regenerate itself.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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NOTES: