

43/2004/101T

MR & MRS F BAKER

**APPLICATION TO FELL TWO CUPRESSUS MACROCARPA INCLUDED IN  
TAUNTON DEANE BOROUGH (WELLINGTON NO. 2) TREE PRESERVATION  
ORDER 1991 AT 20 ELMS ROAD, WELLINGTON (TD 532).**

1441/2009 FELLING OF TREE(S) COVERED BY TREE PRESERVATION ORDER

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**PROPOSAL**

The trees were protected with a Tree Preservation Order in 1991 when an application was made to develop the then large garden and build a bungalow within it. No application has been received to fell or do work on the trees since.

**CONSULTATIONS AND REPRESENTATIONS**

4 LETTERS OF OBJECTION have been received.

2 LETTERS OF SUPPORT have been received.

**POLICY CONTEXT**

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**ASSESSMENT**

The two trees, mature Cupressus macrocarpa are growing within 3 m of one another at the front of 20 Elms Road, close to the boundary of the property and approximately 8 m to the north of the house. The two trees appear as one. They have a spread of about 16 m and a height well over 25 m. The trees dominate the visual scene from all aspects. They are particularly impressive when seen from the higher parts of Pyles Thorn road and are an important contribution to the amenity of the area. When viewed from Pyles Thorn close however, the trees appear out of scale with the size of the plots and incongruous. From 20 Elms Road and the neighbouring properties the trees dominate the environment, casting shadow and dropping debris on the small gardens. The trees appear to be in a healthy condition although recently branches have fallen onto the road below. The close proximity of the houses and the road require that the trees are free from any problems that could lead to branches falling potentially causing injury or loss of life. These conifers cannot be reduced in size as broadleaved trees in a similar situation would.

The problems that the trees cause to the enjoyment of the owners and the neighbours, their incongruous character from certain quarters and their limited trouble free future outweigh the benefit that the trees provide to the amenity from the distance. The trees can be replaced with a specimen of smaller species more appropriate to the neighbourhood.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit and replacement tree.

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

**CONTACT OFFICER: 356493 MR P BRYAN (WEDS, THURS, FRI)**

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