

PLANNING COMMITTEE – 1 MARCH, 2006

REPORT OF THE DEVELOPMENT CONTROL MANAGER

COUNTRYSIDE ITEM

**OBJECTION TO TAUNTON DEANE BOROUGH (CHEDDON FITZPAINE NO.2)
TREE PRESERVATION ORDER 2005 AT TUDOR PARK, MAIDENBROOK (GRID
REF. 2460 2644), TD992 (T1 WALNUT, T2 OAK)**

This Tree Preservation Order was served in response to a possible threat to the trees following two planning applications registered in August 2005:-

- (a) erection of a dwelling on land to the west of Maidenbrook Farmhouse (08/2005/014); and
- (b) formation of an access road for residential development to the north of Maidenbrook Farmhouse (08/2005/015).

The Order was originally served as TD987 to include two oak trees and one walnut. Following an objection to that Order from the agent, representations from the Parish Council, discussion with the owner and subsequent email from the agent, it was re-served as TD992 omitting one of the oak trees.

An objection has been received from Turner Holden, Hawkridge House, Chelston Business Park, Wellington, TA21 8YA (Agents acting for the owners, Glenmill Homes Limited.)

The objection to TD992 has been made on the following grounds:-

- (1) The trees are not 'threatened by a proposal to develop the site', the reason given by Taunton Deane Borough Council for making the Order.

The objection to the original Order, TD987, was made on the following grounds:-

- (1) The trees are not of high amenity, being small, not readily visible by the general public and in potential garden areas.
- (2) The trees are not 'threatened by a proposal to develop the site'.
- (3) The two oaks are too close together. If one is removed, the remaining tree will become unbalanced and of no amenity.

Officer's Comments:-

The oak and walnut appear to be in good health. They are relatively young specimens and have the potential to make a positive contribution to the setting of the Maidenbrook Farm listed buildings as they grow to maturity. The trees have the potential to grow to 15 – 20 metres in height and will become more visible to the general public the larger they get.

The oak tree, T2, included in TD992 is one of a pair growing close together. T2 is the more northerly of the two, and has been chosen for protection as it has a better trunk and branch structure. The removal of the other oak tree will allow T2 to develop a more balanced crown. It would benefit from having the small stem adjacent to the main trunk removed, and being crown-raised to 2 - 2.5 metres from ground level.

RECOMMENDATION

That the Tree Preservation Order be confirmed.

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

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