

PLANNING COMMITTEE - 29 SEPTEMBER, 2004

Report of the Development Control Manager

COUNTRYSIDE ITEM

OBJECTION TO TAUNTON DEANE BOROUGH (TAUNTON NO1) TREE PRESERVATION ORDER 2004 AT 29 CALWAY ROAD, TAUNTON (TD958)

An objection has been received to a Tree Preservation Order that was placed on two trees at 29 Calway Road, Taunton in June of this year.

The order was placed on the trees when it was discovered that an application had been made to build a house in the garden of 29 Calway Road (application no 38/2004/213). If consent had been given, the trees would have needed to be felled. Two of the trees that border the garden, a Poplar and an Ash, were identified as having sufficiently high amenity value to require the serving of the order. The presence of the order was subsequently used as the reason for refusing permission to develop the site.

Richard Ives, the owner of the property, has objected to the Poplar tree being included in the order (he has no objection to the inclusion of the Ash tree). He objects for the following reasons:-

1. The poplar is approximately 30 m high and only 13 m away from the nearest property (2 Fouracres Close). The roots of the tree extend to the surrounding properties and could potentially cause damage to structures and if the tree was to fall in a storm, lives could be lost.
2. The tree is a short-lived species close to the end of its life.

The tree has high amenity value but is of a size and species (Poplars do not resist the attacks of fungal diseases well) that means that it is likely to cause damage to surrounding properties in the future. There is no evidence to suggest that the tree is a present danger, however the tree is towards the end of its life and the chances that decay will enter the tree and lead to its collapse are high. Surgery to reduce the tree to a less damaging size would look unattractive and disease entering the wounds would lead to rapid decay and collapse.

RECOMMENDATION

To re-serve the Tree Preservation Order omitting the Poplar tree.

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

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