

## **Planning Committee – 22 November, 2006**

### **Report of the Development Control Manager**

#### **Countryside Item**

#### **Objection to Taunton Deane Borough (Taunton No. 2) 2006 Tree Preservation Order on land to the south of Savery Row, Taunton (Grid ref. 2355 2418), TD1008 (T1 Elder)**

This Tree Preservation Order was served in response to a possible threat to the tree following a planning application registered in March 2006:-

Erection of dwelling, garage and carport, and 4 garages for 112 South Street, on land to the south west of Savery Row, Taunton (38/2006/139).

This application was refused. An amended application was submitted in September (38/2006/382) and approved by the Planning Committee on 1st November, 2006.

Mr and Mrs Gregory, 112 South Street, Taunton, owners of the land on the north side of the tree and owners or part-owners of the tree itself, which is multi-stemmed and on the boundary

The objection to TD1008 has been made on the following grounds:-

- (a) The elder tree will hinder the establishment of the new native-species hedgerow which is proposed for much of the southern, eastern and northern boundaries of the site (and detailed in the drawing accompanying application 38/2006/382), by shading and depletion of nutrients and water.
- (b) The tree has not been managed in the past and requires management work.
- (c) The protection of the tree by a Tree Preservation Order, and therefore the need to apply for permission to carry out management to it, will be inconvenient in the long term.

#### **Officer's Comments:-**

The tree is multi-stemmed and generally in good health, with only a small amount of dead wood in its canopy. It is approximately 8 m tall (26ft) with a spread also of approximately 8 m.

It can be seen by the residents of the 25 houses that surround the space.

It is now the only tree on the site, two small apple trees having been felled earlier in the year. It therefore makes a significant contribution to the amenity of the space aesthetically and by providing screening between properties and habitat for wildlife.

It has been approved by the Committee that the application to remove three stems be approved (38/2006/388T). This will aid the establishment of the new hedgerow to the south east of the tree, and allow more space on the west side for construction of the new dwelling.

The proposed new tree and hedge planting will make a positive impact on the site, but until it has been established the elder should remain as a tree.

There have been 5 letters in support of the Tree Preservation Order from 7, 8, 9 and 10 Savery Row and 4 Holland Mews, for reasons as stated above.

### **Recommendation**

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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