

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**PLANNING COMMITTEE – TUESDAY, 4 JUNE 2019**

Title of report	<b>TO CONSIDER THE MAKING OF A TREE PRESERVATION ORDER (TPO) 177 GREENHILL ROAD, COALVILLE</b>
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Purpose of report	To consider an objection raised by a neighbouring resident
Council priorities	Homes and Communities
<p>Implications:</p> <p>Financial/Staff</p> <p>Health and Safety</p> <p>Risk Management</p> <p>Equalities Impact Screening</p> <p>Human Rights</p> <p>Transformational Government</p>	<p>None</p> <p>None</p> <p>None</p> <p>Equality Impact Assessment already undertaken, issues identified actioned.</p> <p>Under the Human Rights Act, Article 8, there is a right to respect people’s private and family life, their home and correspondence. The making of a Tree Preservation Order potentially impacts on that right. However, in this case it is considered that the making of the Order is justified in the public interest.</p> <p>None</p>
Consultees	People with a legal interest in the land affected by the Order have been consulted and members of the public were consulted by the placing of a site notice.

Background papers	Full copies of correspondence received are available on the planning file.
Recommendations	<b>THAT THE TREE PRESERVATION ORDER (TPO) BE CONFIRMED</b>

## 1.0 INTRODUCTION

- 1.1 A provisional TPO was made on 6<sup>th</sup> February 2019 in respect of one Coast redwood tree located in the rear garden of 177 Greenhill Road. The TPO needs to be confirmed within six months. The tree will lose its protection if not confirmed before 6<sup>th</sup> August 2019.

## 2.0 BACKGROUND

- 2.1 A request to make a TPO has been received from the occupier of 177 Greenhill Road in respect of a young Coast redwood (*Sequoia sempervirens*) tree located in the rear corner of his garden which borders gardens in both Belgrave Close and Rochdale Crescent to the north and east of his property.
- 2.2 The young tree is approximately 13m. tall and is visible over 177 Greenhill Road and the attached garage when viewed from Greenhill Road to the south. It is an unusual species and the occupier of 177 Greenhill Road is concerned that it could be removed by future owners or lopped back where its overhangs the boundary.
- 2.3 The tree is in good condition, over 45 years old and with a life expectancy in excess of 400 years.
- 2.4 A provisional Tree Preservation Order was prepared and served, and came into force for a six month period on the 6<sup>th</sup> February 2019. Because an objection has been made to the Order, Planning Committee is asked to formally confirm the making of a Tree Preservation Order. The effect of this would be to maintain the Order on a permanent basis.

## 3.0 OBJECTIONS AND OFFICER COMMENTS

### Summary of Representations Received

- 3.1 A neighbouring resident has objected to the TPO because the tree overhangs their garden and obstructs daylight. They are concerned that it might fall and that it is not native to the UK. Furthermore they get no enjoyment from the tree and they have water pipes in their garden which are of concern.
- 3.2 The tree has been inspected by the Council's Tree Officer and it was in good condition and stable, with no evidence of structural defects. It adds diversity to the urban forest, increasing its ecological resilience.

Sequoias are proven to be more stable in gales than most other trees. Although it is an evergreen conifer, due to its columnar shape and form it does not generally cast dense shade. It does have the potential to reach a height of 30m. or more but the crown of this

species does thin with age and so daylight will show through the canopy and its slightly drooping, lower branches can be raised with careful pruning.

Tree roots will not damage sound water pipes and roots cannot enter pipes unless they are defective.

The tree could become a long-term feature and land mark tree within the local area.

- 3.3 It is therefore considered that the proposed Tree Preservation Order, as per the map at appendix 1 of this report meets the legal requirement for making a TPO, and that the reasoning that was set out in the objection to the TPO does not indicate that the TPO should not be confirmed. It is, accordingly, recommended that the TPO be confirmed with immediate effect.