

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE – 14 APRIL 2014

TREE PRESERVATION ORDER NO.19/1972 - APPLICATION TO PRUNE THREE BEECH TREES AT 25 NEW YATT ROAD, WITNEY, OX28 1NX (141.48/40)

REPORT OF THE HEAD OF PLANNING AND SUSTAINABLE COMMUNITIES

(Contact: Nick Dalby, Tel: (01993) 861662)

(The decision on this matter will be a resolution.)

1. PURPOSE

To consider an application to prune three beech trees growing at 25 New Yatt Road, Witney which are included in Tree Preservation Order No.19/1972.

2. RECOMMENDATION

That the application be refused.

3. BACKGROUND

- 3.1. An application has been received to thin three beech trees growing at 25 New Yatt Road, Witney. They are included in an area tree preservation order that was made in 1972 to safeguard trees growing in the grounds of Merryfield House. This was done in advance of housing development in the area now known as Vanner Road.
- 3.2. The applicant lives at 52 Vanner Road and the trees are growing in a neighbouring property at 25 New Yatt Road. The owner of the trees has no objections to the application.
- 3.3. The reason for making the application can be summarised as follows:
To reduce the density of the crowns to allow sunlight through the trees to the garden.
- 3.4. Whilst the application states that works applied for are to thin the canopy by up to 30% an accompanying annotated photograph indicates something more akin to a significant crown lifting operation. For the avoidance of doubt it is taken that the works applied for are as indicated on the photograph.

4. PLANNING ASSESSMENT

- 4.1. The trees are prominent in views from public vantage points from New Yatt Road and Vanner Road and, significantly, from along a public footpath through open space which links the two roads. They form part of several groups of mature trees which contribute to the mature character of this residential area. A characteristic which is slowly being eroded by either the removal or inappropriate pruning of those original features that were retained from the time the area was developed for housing.
- 4.2. In response to the reason put forward to support the application your officers' observations are as follows:

- The trees are undoubtedly large in size and cast a significant amount of shade over the applicant's garden. This is particularly so as they are growing on the southern boundary of the property.
- Along with other trees nearby, they will have been large for a long period of time and have been included within the Tree Preservation Order since the properties were built and occupied.
- The works for which permission is sought includes the removal of substantial branches, including major limbs emanating from low in the crown together with a large number of branches up to a significant height within the crowns of the trees. The nature and extent of the proposals do not accord with industry best practice standards and are considered to be damaging to the health and well being of the trees and to public amenity.

4.3. It is considered that the trees contribute to the character and appearance of the area and are worthy of retention. The extent and nature of the works are considered to be damaging to the health and appearance of the trees and to wider public amenity. The reason put forward to support the application does not outweigh the contribution they make to the local area and therefore it is recommended that the application be refused.

5. ALTERNATIVES/OPTIONS

The Council could decide to grant permission for the pruning works.

6. FINANCIAL IMPLICATIONS

Tree preservation order regulations make provision for the payment of compensation by the Local Planning Authority for loss or damage caused or incurred as a result of its refusal of any consent under a TPO. However, the regulations include provisions to limit the Local Planning Authority's liability and are dependent on the details of each particular case.

7. REASONS

To protect and enhance the environment in accordance with the Council Plan.

Head of Planning and Sustainable Communities

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Date: 18 March 2014

Background Papers:

TPO 19/72