

WEST OXFORDSHIRE DISTRICT COUNCIL

LOWLANDS AREA PLANNING SUB-COMMITTEE – 16 APRIL 2018

TREE PRESERVATION ORDER NO.63/84 - APPLICATION TO FELL ONE PINE TREE AT I LIME TREE CLOSE, CARTERTON, OX18 3AD (141.122/4)

REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING

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

1. PURPOSE

To consider an application to fell a pine tree included in Tree Preservation Order No.63/84.

2. RECOMMENDATION

That the application to fell the tree be refused.

3. BACKGROUND

- 3.1. An application has been received to fell a pine tree at I Lime Tree Close, Carterton which is identified as T1 in the above Tree Preservation Order. This report has been brought to the Planning Sub-Committee as the applicant is a serving member of the Council.
- 3.2. The Order was made in 1984 prior to land around the tree being developed for housing.
- 3.3. The application seeks permission to remove it. The reasons given are that a large branch snapped during heavy snowfall in December 2017. This has left an unbalanced crown and has made the tree susceptible to further branch breakages. It is a mature specimen and has multiple stems which will be subjected to different forces making it more unpredictable in the future. There are also a number of high risk targets within falling distance of the tree, including residential gardens, a public footpath and a car park. The applicant is prepared to plant a replacement tree.

4. PLANNING ASSESSMENT

- 4.1. The tree has high amenity value in that it can be seen from various public vantage points around the immediate locality, particularly so during the winter months when intervening deciduous vegetation is not in leaf.
- 4.2. An independent assessment of the tree has been carried out which concluded that the recent branch failure was attributable to the unusual circumstances of a heavy fall of snow. The lost limb has made a relatively modest gap in a north-eastern segment of the tree's lower canopy. It is considered that this is unlikely to create a significant alteration in the aerodynamics of the tree's crown, which will result in any reasonably foreseeable harm. It is considered that the tree does not represent a significantly higher level of risk to people or property in the vicinity than the inherent very low risk normally associated with trees. The visual quality and public amenity of the tree has not been substantively reduced by the loss of the limb. The tree continues to provide a high level of wide public visual amenity, which would be lost if the tree were to be removed.

4.3. In light of the conclusions contained in the report it is recommended that permission to fell the tree be refused. The full report can be viewed on request.

5. ALTERNATIVES/OPTIONS

The Council could decide to grant permission to fell the tree, with or without conditions requiring a replacement.

6. FINANCIAL IMPLICATIONS

Tree preservation order regulations make provision for the payment of compensation by the LPA 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 LPA's liability and are dependent on the details of each particular case.

Giles Hughes - Head of Planning and Strategic Housing
(Author: Nick Dalby, Tel: (01993) 861662; Email: nick.dalby@westoxon.gov.uk)
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Background Papers:
TPO 63/84