
SUBJECT	TREE PRESERVATION ORDER CONFIRMATION REPORTS	ITEM 7
REPORT OF	Tree Officer	

TPO NO.	24/2008
SERVED	16 July 2008
PARISH	Wallingford
WARD MEMBER(S)	Marcus Harris & Imran Lokhon
SITE	Crispin Place, Wallingford
GRID REF	SU 460536 / 189267
OBJECTIONS RECEIVED FROM:	Mrs B Sandford, 22 Hunts Mill, Crispin Place. Mrs C Francis, 14 Hunts Mill, Crispin Place. Mr C Boshier, Mongewell Cottage, Withdrawn
CASE OFFICER	Matt Gulliford

1.0 **INTRODUCTION**

1.1 The purpose of this report is to enable the Committee to consider the three objections that were made to TPO No 24/2008. The TPO protects 1 London Plan tree as an individual.

2.0 **BACKGROUND**

2.1 On the 22nd May 2008 the councils Forestry team received a 'Notice of Intent' to fell a London Plan tree in the car park of the block of flats known as Hunts Mill, Crispin Place, Wallingford. This address is within Wallingford Conservation Area.

2.2 The notice of intent give the following reasons for the trees removal: "disruption to wall, parking and paved area and drains".

2.3 The Forestry team inspected the tree and had a site meeting at the request of the applicant, Steve Glover of John Mortimer Property Ltd, the property management company responsible for the flats.

2.4 At the time of the site inspection / meeting an amenity assessment was completed and a detailed inspection of the tree and the wall was undertaken. The tree officer recorded the tree to be in good structural and physiological condition and note it is a very prominent site feature. It was also noted the adjacent boundary wall had some cracking along the mortar joints. **(Site photos in Appendix A).**

2.5 Since the order has been served one of the objectors Mr Boshier has removed his objection to the order after a phone conversation with the tree officer. In addition the Forestry team have received a letter of support for the preservation order from a Mr Martyn of 20 Hunts Mill, Wallingford.

3.0 **REASONS FOR OBJECTION**

3.1 The council initially received three letters of objection to the TPO. One has now been withdrawn. The two remaining letters of objection are from Mrs C Francis, 14 Hunts Mill and Mrs B Sandford, 22 Hunts Mill. A copy of there letters are attached and summarised below:
(See Appendix B)

- the tree is too large for area and is too close to the property, unsuitable for the location.
- the tree is causing damage to a boundary wall.
- leaves from the tree are causing problems with the drains.
- concerns the tree roots are damaging essential pipe work and road surfaces.
- the tree block out light to the dwellings.

4.0 **APPRAISAL**

4.1 When giving consideration to the confirmation of this order councillor's are advised to take account of the following points which address the concerns raised in the objections above:

4.2 The tree is a London Plan. This species of tree is widely planted in urban areas as it is very well suited to the harsh growing conditions of the built environment. They are able to withstand growing within hard surfaces and respond well to pruning. Good examples can be found in most large towns and city's across the country.

4.3 As trees grow within the urban environment there will undoubtedly be some compatibility issues with the site, adjacent structures and those using the site. Sound arboricultural management and property maintenance seeks to achieve an acceptable balance between the retention of trees which provide a significant contribution to their environment and the cost of management and repairs associated with them.

4.4 This species of tree responds well to modern arboricultural pruning practises which would alleviate some of the concerns raised in the objections and retain the trees amenity value. The TPO would not prevent this as the SODC Forestry team seek to promote such works.

4.5 No evidence has been provided to confirm the wall is being effected by the tree. This can be achieved via simple crack monitoring to determine if the movement of the wall is consistent with the trees growth pattern. There are also recognised methods of wall construction that ensure future compatibility between trees and walls, (if the tree is damaging the wall). As the wall needs to be repaired this could be done to achieve a successful repair.

4.6 No evidence has been provided to substantiate or confirm the concerns that the drains are being effected by the trees root system.

4.7 Mrs Sandford of 22 Hunts Mill raised concerns the tree is casting shade over the her property. The tree is situated 19 meters away from Mrs Sandfords first floor flat. As you can see from the site plan and photos the tree is due west of the flat and stands at 15 meters tall. The tree will only cast shade towards flat 22 from mid to late afternoon. The two facing velux roof windows are shaded at other times of the day by the adjoining neighbouring flat to the south.

5.0 **POLICY & GUIDANCE**

5.1 The South Oxfordshire Local Plan adopted 2006 recognises the contribution that trees make to the appearance and character of towns and villages within the district and commits the council to preserving and retaining existing trees. These aims are embodied in policies C1, C6, C9, CON7 and A1 which seek to underpin the statutory duty of the council to protect trees of amenity value.

5.2 In order to ensure consistent interpretation of the TPO legislation guidance has been sought from the DETR publication “Tree Preservation Orders. A Guide to the Law and Good Practice”.

6.0 **CONCLUSION**

6.1 The tree is considered worthy of the order because:

- the tree has public amenity value when assessed in line with Government guidance, being clearly visible to the public. It contributes to the character of the conservation area.
- the tree is in good structural and physiological condition, with no evidence of significant defects visible at the time of the inspection. It has a life expectancy of over 50+ years.
- the concerns raised in the letters of objection can all be managed with basic remedial works to the tree and wall, and in doing so provide a reasonable balance between the retention of the tree and the cost of management and repairs.
- there is clear a threat to the tree as a Notice of Intent was submitted to the council informing us the property maintenance company were planning to fell to the tree. Therefore the serving of the order is considered expedient and in accordance with Government guidance and the council’s statutory duty to protect trees of amenity value.
- the preservation order will allow the trees to be managed following best arboricultural practise, successfully tackling any future compatibility issues whilst maintaining the tree in good health for future generations.

7.0 **RECOMMENDATION**

7.1 **That tree preservation order no. 24/2008 be confirmed.**

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APPENDIX A: TPO site map and photos

**APPENDIX B: Letters of objection
and Letter of support**

APPENDIX A

TPO SITE MAP AND PHOTOS

APPENDIX B

**LETTERS OF OBJECTION
&
LETTER OF SUPPORT**

