

PLANNING COMMITTEE REPORT

CHAIRMAN: Cllr. Colin Parker



SUBJECT: The District of Teignbridge (17 Gatehouse Close, Dawlish) Tree Preservation Order 2023
E2/29/100

WARD COUNCILLORS Cllr Linda Goodman-Bradbury Dawlish North East
Cllr Rosie Dawson
Cllr Martin Wrigley



Image 1 Aerial image showing the approximate extent of the protected Oak trees crown (outlined in red).

RECOMMENDATION

The Planning Committee is recommended to resolve that:

The District of Teignbridge (17 Gatehouse Close, Dawlish) Tree Preservation Order 2023 is confirmed unmodified.

1. PURPOSE

The District of Teignbridge (17 Gatehouse Close, Dawlish) Tree Preservation Order 2023 protects a single native Oak tree located within the garden of 17 Gatehouse Close, Dawlish.

The provisional tree preservation order (TPO) was served on 23 May 2023. The provisional protection will cease on 23 November 2023, if it is not confirmed.

2. BACKGROUND

The provisional TPO was made following concerns that the tree may be pruned in an unsympathetic way and to such an extent that will be detrimental to the amenity value of the tree and its long-term health.

Local Planning Authorities (LPAs) have a duty under Part VIII Section 197 of the Town and Country Planning Act 1990 (TCPA) to ensure the protection of trees by making TPOs where it is considered necessary. Section 198 of the TCPA states LPAs may make a TPO if it appears to them to be "expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area".

Further guidance may be found in National Planning Policy Guidance "Tree Preservation Orders and trees in conservation areas"

3. REASON

The tree is visible from Gatehouse Close, The Paddock and the surrounding residential properties (Image 2). The tree contributes to the visual amenity of the area. The loss of, or harsh pruning of the tree would have a detrimental impact upon the visual amenity of the area.



Image 2 Google Streetview image of tree (outlined in red) as seen from the east on Gatehouse Close.

The tree has an amenity rating of 17. The suitable benchmark rating for inclusion within a tree preservation order is 15. See Appendix I

Owing to the importance of the tree within the local landscape, The District of Teignbridge (17 Gatehouse Close Dawlish) Tree Preservation Order 2023 was made and served on 23 May 2023.

One letters of objection has been received.

The objections can be summarised as follows:

- Personal safety and prevention of damage to property.
- Poorly managed in the past causing an unbalanced form.
- The tree obstructs light.

Officer Comment:

- An inspection of the tree was undertaken by the TDC tree officer prior to making of the TPO. No significant defects were observed, and no evidence has been submitted to support the claims that the tree represents an unreasonable level of risk to either the tree owner, or any of the adjacent properties.
- The tree has been actively managed in the past, this includes crown lifting over the surrounding gardens, pruning back from the closest dwelling and general crown reduction works. Given this past management the tree is of atypical form for the species, however it is still an attractive and significant amenity feature.
- Trees inevitably cast shade; however, this is transient as the sun moves across the sky during the day. The tree grows to the west of the objector's property so will only cast shade in the latter parts of the day. It should also be noted the crown is lifted to a considerable degree, and this is the best way to increase ambient light levels under the crown of a tree.

4. SUSTAINABILITY IMPLICATIONS

Trees in urban areas are a vital component of a sustainable future, serving to absorb CO², create oxygen and filter pollutants that exacerbate conditions such as eczema and asthma, as well as providing shade and screening and a softening of the built environment. Trees provide a sense of place, habitat for fauna and flora, as well as uplifting the spirits of many people.

5. FINANCIAL IMPLICATIONS

None

6. OPTIONS

The Planning Committee can decide to:

- Confirm the Tree Preservation Order unmodified
- Not to confirm the Tree Preservation Order

Rosalyn Eastman

Business Manager – Strategic Place

TEIGNBRIDGE DISTRICT COUNCIL

APPENDIX I

AMENITY EVALUATION RATING FOR TPOs

TPO No:	E2/29/100	Site Visit Date:	22 May 2023
TPO Name:	The District of Teignbridge (17 Gatehouse Close, Dawlish) Tree Preservation Order 2023	Effective Date:	23 May 2023
Address	17 Gatehouse Close, Dawlish, Devon, EX7 0EG,	TPO Designation	Tree
Rating	17	Surveyed by:	Stuart Baker
Reason for TPO	The tree contributes to the amenity and character of the area and is considered under threat from lopping and topping		

1. <u>Size – height x spread</u>	score	6. <u>Suitability to area</u>	score
1 very small 2-5m ? 2 small 5-10m ? 3 small 10-25 ? 4 medium 25-50m ? 5 medium 50-100m ? 6 large 100-200m ? 7 very large 200m ? +	5	1 Just suitable 2 Fairly suitable 3 Very suitable 4 Particularly suitable	3
2. <u>Life expectancy</u> 1 5-15 yrs 2 15-40 yrs 3 40-100yrs 4 100yrs +	3	7. <u>Future amenity value</u> 0 Potential already recognised 1 Some potential 2 Medium potential 3 High potential	0
3. <u>Form</u> -1 Trees which are of poor form 0 Trees of not very good form 1 Trees of average form 2 Trees of good form 3 Trees of especially good form	1	8. <u>Tree influence</u> -1 Significant 0 Slight 1 Insignificant	0
4. <u>Visibility</u> 1 Trees only seen with difficulty or by a very small number of people 2 Back garden trees, or trees slightly blocked by other features 3 Prominent trees in well frequented places	2	9. <u>Added factors</u> <i>If more than one factor relevant maximum score can still only be 2</i> 1 Screening unpleasant view 1 Relevant to the Local Plan 1 Historical association 1 Considerably good for wildlife 1 Veteran tree status	1
5. <u>Other trees in the area</u> 0.5 Wooded surrounding 1 Many 2 Some 3 Few 4 None	2	10. <u>Notes and total score</u> Reasonable for inclusion within the TPO	17

Typical useful life expectancy of common trees.

300+ Yew
 200-300 Oak, Sweet Chestnut, Plane, Sycamore, Lime
 150- 200 Scots Pine, Hornbeam, Beech, Tulip Tree, Norway Maple, Lebanon Cedar
 100 - 150 Ash, Spruce, Walnut, Red Oak, Horse Chestnut, Field Maple, Monkey Puzzle, Mulberry, Pear.
 70 - 100 Rowan, Whitebeam, Apple, Cedar, Catalpa, Robinia, Ailanthus
 50 - 70 Poplars, Willows, Cherries, Alders, Birches.

ADD EACH FACTOR TOGETHER 1+2+3+4+5+6+7+8+9 = Rating figure
 (The suitable benchmark rating for inclusion within a TPO is 15)