

PLANNING COMMITTEE REPORT

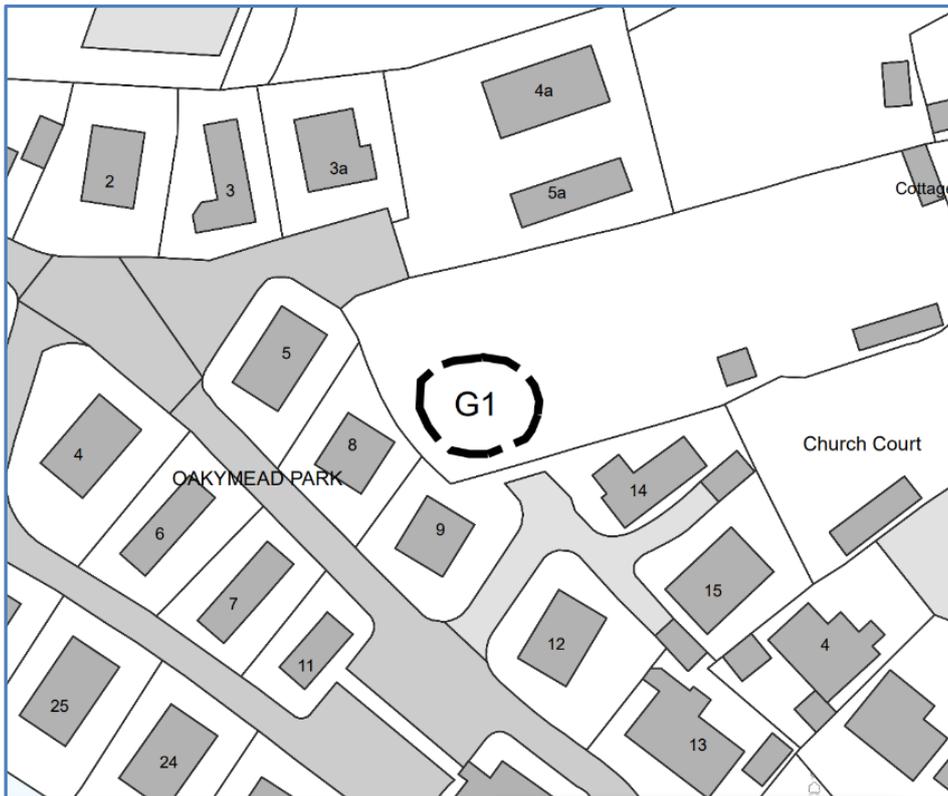
CHAIRMAN: Cllr Colin Parker



SUBJECT: The District of Teignbridge (Open space at Oakymead Park, Newton Road, Kingsteignton) Tree Preservation Order 2023
E2/23/44

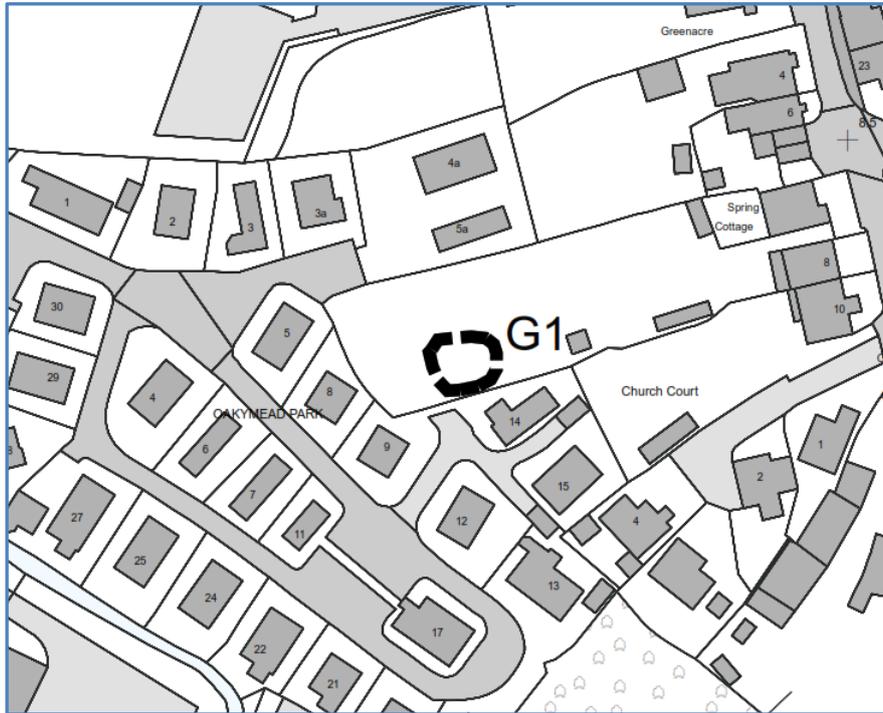
CASE OFFICER: Stuart Baker
WARD COUNCILLORS Cllr Keeley Gearon Kingsteignton East
Cllr Ron Peart

Original Location Plan



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Revised Location Plan



RECOMMENDATION

The Planning Committee is recommended to resolve that:

The District of Teignbridge (Open space at Oakymead Park, Newton Road, Kingsteignton) Tree Preservation Order 2023 is confirmed modified (updated location plan).

1. PURPOSE

The District of Teignbridge (Open space at Oakymead Park, Newton Road, Kingsteignton) Tree Preservation Order 2023 protects a group of three silver birch located within the garden of Land At Oakymead Park, Newton Road

The provisional tree preservation order (TPO) was served on 11 July 2023. The provisional protection will cease on 11 January 2024, if it is not confirmed.

2. BACKGROUND

The provisional TPO was made following the receipt of a Conservation Area Notification, (section 211 notice, application number 23/00774/CAN), informing the Council of the intention to fell a group of three silver birch.

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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 three birch trees are readily visible in the local area and as a group contribute to the visual amenity of the area. The loss of the trees would have a detrimental impact upon the visual amenity of the area.

The tree group has an amenity rating of 19. The suitable benchmark rating for inclusion within a tree preservation order is 15. See Appendix I

Owing to the importance of the tree(s) within the local landscape, The District of Teignbridge (Open space at Oakymead Park, Newton Road, Kingsteignton) Tree Preservation Order 2023 was made and served on 11 July 2023.

Kingsteignton Town Council support the retention of the trees: “Objection [*to their removal*] due to the trees are not diseased and Council see no reason for them to be removed. They also benefit the air quality and the wildlife ie birds/moths insects to the subject to the area”.

Two letters of objection have been received.

The objections can be summarised as follows:

- The trees block sunrise.
- Risk of death and considerable damage should they fall.
- Do not contribute to the character of Kingsteignton Conservation Area or are not of particular historical value.
- Outgrown their site.
- Threaten nearby residential Park homes.

Officer Comment:

At the time of inspection, the three birch trees were found to be of reasonable health and without sign of structural defect, representing minimal risk at present. They are relatively small at around 12m height and are in scale with the surrounding residential park, forming a pleasant visual feature, and contributing to the quality of the conservation area.

Located to the east of some Park homes the trees will partially obscure sunrise.

The birch trees are not of any significant historical value.

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
- Confirm the Tree Preservation Order in a modified form
- Not to confirm the Tree Preservation

The Planning Committee is recommended to confirm the Tree Preservation Order in a modified form; with a revised location plan showing the tree group adjusted slightly.

Business Manager – Strategic Place

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APPENDIX I

AMENITY EVALUATION RATING FOR TPOs

TPO No:	E2/23/44	Site Visit Date:	23/10/23
TPO Name:	The District of Teignbridge (Open space at Oakymead Park, Newton Road, Kingsteignton) Tree Preservation Order 2023	Effective Date:	11 July 2023
Address	Land At Oakymead Park, Newton Road, Kingsteignton, TQ12 3AN,	TPO Designation	G1
Rating	19	Surveyed by:	Doug Pratt
Reason for TPO	The trees contribute to the amenity and character of the area. Following the submission of a Section 211 notice for their removal (Reference number 23/00774/CAN), the trees are considered at risk from felling.		

<p>1. <u>Size – height x spread</u></p> <p>1 very small 2-5m² 2 small 5-10m² 3 small 10-25² 4 medium 25-50m² 5 medium 50-100m² 6 large 100-200m² 7 very large 200m² +</p>	Score 5	<p>6. <u>Suitability to area</u></p> <p>1 Just suitable 2 Fairly suitable 3 Very suitable 4 Particularly suitable</p>	Score 3
<p>2. <u>Life expectancy</u></p> <p>1 5-15 yrs 2 15-40 yrs 3 40-100yrs 4 100yrs +</p>	2	<p>7. <u>Future amenity value</u></p> <p>0 Potential already recognised 1 Some potential 2 Medium potential 3 High potential</p>	1
<p>3. <u>Form</u></p> <p>-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</p>	2	<p>8. <u>Tree influence</u></p> <p>-1 Significant 0 Slight 1 Insignificant</p>	1
<p>4. <u>Visibility</u></p> <p>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</p>	3	<p>9. <u>Added factors</u></p> <p><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</p>	
<p>5. <u>Other trees in the area</u></p> <p>0.5 Wooded surrounding 1 Many 2 Some 3 Few 4 None</p>	2	<p>10. <u>Notes and total score</u></p> <p>Not/Reasonable for inclusion within the TPO</p>	19