Planning Committee: 01 March 2016 **Item Number: 10**

Application No: TPO 495

Registration Date:
Town/Parish Council: Royal Leamington Spa **Expiry Date:**
Case Officer: Rajinder Lalli

Land at Ambassador Court, Kenilworth Road, Royal Leamington Spa
Warwickshire, CV32 6JF

Confirmation of Provisional Tree Preservation Order relating to 1 Willow Tree (T1) and 1 Beech Tree (T2)

This Tree Preservation Order (TPO) is being presented to Committee because an objection has been received to it being confirmed

RECOMMENDATION

Planning Committee is recommended to authorise officers to confirm TPO 495 without modification.

BACKGROUND

An application to carry out works to T1 Weeping Willow and T2 Beech was received on 16th September 2015 for Crown thinning to both T1 and T2 trees reference W/1525/TCA.

ASSESSMENT

The trees, Willow (T1) and Beech (T2) are located within the Royal Leamington Spa Conservation Area. Both sit on the frontage of Ambassador Court, Kenilworth Road and are highly visible within the tree lined street and provide a significant contribution within the street scene.

OBJECTION

The Council received an objection to the making of the Order dated 9th November 2015 from a resident of Ambassador Court, stating the following:-

1. Whilst they accept the principle of the making of Tree Preservation Order, trees in the car park of Ambassador Court have roots that grow under the building. They have damaged parts of the car park and may damage the foundations or drains.
2. There is an issue with pigeon droppings causing residents not to want to park under trees generally within the Ambassador Court causing parking problems.
3. They object to the TPO if it puts the building in danger or prohibits the pollarding or pruning to the tree to address the pigeon dropping issue.

KEY ISSUES

The key issues to be addressed in deciding whether or not to confirm the Tree Preservation Order are whether the tree is of sufficient amenity importance to justify a TPO, and whether the public benefit afforded by the tree outweighs any private inconvenience experienced by individuals because of the tree.

As set out in the introduction, the trees are considered to be of significant amenity value within the surrounding area.

The objector has not provided any documentation to support his claims that there may be future damage to drains or foundations from the trees that are the subject of the TPO and there is no evidence to suggest that this is the case.

The issue of pigeon droppings is not a consideration in determining whether a tree warrants a TPO. The considerations are how the tree adds amenity value in its location as well as its health and vigour.

The effect of the TPO is to bring future work to the trees under the Council's control. It will not prevent appropriate work to be carried to maintain the trees.

SUMMARY/CONCLUSION

It is not considered the issues raised in objection to the TPO are sufficient to outweigh the significant amenity contribution which the tree makes to its surrounding area.

Schedule:
T1 - Willow
T2 - Beech
T1
T2