

Agenda Item 8

Forward Planning
Salisbury District Council, 61 Wyndham Road
Salisbury, Wiltshire SP1 3AH

Officer to contact: Shane Verrion
direct line: 01722 434416
email: sverrion@salisbury.gov.uk
web: www.salisbury.gov.uk

Report

Subject : Fell 2 X Beech Trees
Report to : City Area Committee (Planning)
Date : Thursday 08 February 2007
Author : Shane Verrion (Arboricultural Officer)

Purpose of Report:

This item is before Members to consider an application to fell two Beech trees (S/2006/2523) that are protected by a Tree Preservation Order (TPO). An objection has been received so the Committee must determine the application.

Background:

The 2 Beech trees are situated in the rear garden of 8 Ventry Close. The garden rises steeply to the north and both trees are growing on a bank, close to the boundary between 8 & 9 Ventry Close.

The trees are considerable in size, being approximately 30 meters tall (100 feet). The canopies overhang the gardens of each property and the garage at number 8.

The application to fell the trees was submitted by the owners of 9 Ventry Close. They feel the trees are dangerous, and pose a threat to the safety of both themselves and their property.

It is worth mentioning that anybody can apply to carry out work on, or fell a tree that is protected by a Preservation Order. They do not have to be the owner or obtain consent. The Council must therefore determine the application, but the permission of the owner will be required before any works can be carried out.

Representations:

Two letters of objection and one e-mail in support of the application have been received.

The owner of the trees, who resides at 8 Ventry Close has objected to the application because she believes they are not dangerous and that they have significant amenity value.



Awarded in:
Housing Services
Waste and Recycling Services



The owner sought the opinion of an Arboricultural Consultant, in November 2004. The subsequent report concluded that there was no evidence to suggest the trees were in a dangerous state.

The other letter of objection states the trees are much older than the properties, and they were retained to soften the impact of development, in what was previously a wooded area. Additionally, they help to reduce pollution and provide a wildlife habitat.

The e-mail in support of the application raises concerns about the safety of the trees, given their size and close proximity to neighbouring properties. It also mentions the loss of light when the trees are in full leaf.

Conclusion:

I have assessed the condition of the trees and found no reason to believe they are in a dangerous state.

The crowns of the trees appear healthy, with little dead wood, and an abundance of fresh buds.

If there are safety concerns relating to falling branches, any limbs that are found to be dead or dying could be removed by surgery, without the need for felling.

It is impossible to say with 100% certainty that the trees will not suffer damage or fall in very strong winds but there is no good reason to assume they will.

Given the size of the trees it is likely that they will reduce light to the surrounding gardens and properties. However, the right to light is restricted to those properties that have previously had an uninterrupted source of light that has suddenly being obstructed. In this instance, the trees were in existence before the properties so the current residents were aware of the situation when they decided to live in the area.

Options for consideration:

Members should consider the application and decide on one of the following options:

- 1) Approve the application (and allow the felling of the two protected trees); or**
- 2) Refuse the application (and retain the trees)**

Recommendations:

I recommend this application for refusal (option 2). No evidence is available to confirm that the trees are in a dangerous state. The trees should therefore be preserved in the interests of amenity.