

## Agenda Item 10

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# Report

**Subject** : Tree Preservation Order at 19 Paul's Dean Road, Salisbury (no. 342)  
**Report to** : City Area Committee  
**Date** : Thursday 5 July 2007  
**Author** : Shane Verrion

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### Purpose of Report:

This item is before Members because an objection has been received to the Tree Preservation Order (TPO no. 342) at 19 Paul's Dean Road, Salisbury.

### Background:

TPO 342 was enacted on 19<sup>th</sup> January 2005 to protect a mature Beech tree, which was deemed to be under threat.

The owners of the tree, and the neighbours immediately to the north, wrote letters objecting to the application of a TPO. The neighbours have since withdrawn their objection.

The owner's objection still stands so in accordance with the constitution the Committee should decide whether or not the TPO is confirmed.

The tree is a large Beech that is situated in close proximity to the property. Apparently, it is one of few remaining trees that once made up a line of Beeches along the side of the hill. The trees that remain are highly visible because of their elevated position and are important because they break up the hard lines of the buildings in the landscape.



Awarded in:  
Housing Services  
Waste and Recycling Services



**Objections:**

The owners of the tree objected to the TPO in a letter dated 1<sup>st</sup> February 2005, making the following points:

Similar Beech trees in the area have been failed and no preservation order was put in place to protect them.

The Beech, which is the subject of this order, was once one of 5 similar trees in the garden of 19 Paul's Dene Road. One fell in the hurricane of 1987 and two had to be felled in 1996 because they were dying and unsafe.

The tree is approximately 30 meters tall and only 5 meters from the property. If it were to fall it could cause significant damage or death/serious injury. The tree should be removed in the interests of safety.

**Comments on objections:**

In response to the points raised:

It is unclear if the Planning Office was advised before the trees were failed. If the Tree Officer is notified of the intention to fell and remove a tree an assessment can be undertaken to evaluate if it is worthy of protection. However, it is not always necessary to inform the Planning Office and trees in a poor state of health or in poor condition are unlikely to be protected by a Preservation Order.

It is disappointing that the original row of trees is no longer in tact but the Beech tree has been assessed and is considered worthy of a Preservation Order on its own merit. The fact that two trees have been felled through poor health and one has blown over is irrelevant. The Beech, which is the subject of the TPO, appears to be in good health, with a healthy crown and no obvious major defects.

The crown contains a small amount of dead wood which is not unusual for a Beech tree and one branch has a cavity which could cause failure at some point in the future. The Tree Officer has discussed these issues with the owners and suggested the tree could be pruned to reduce its overall size and the dead wood and defective limb should be removed in the interests of safety.

A tree cannot be considered dangerous just because it is within falling distance of property and in absence of any evidence to say otherwise it must be assumed that it is healthy and structurally sound. In evidence of this point the tree has survived the strong winds of early 2007 which are reported to have been the strongest for 10 years.

**Conclusion:**

This is an excellent example of a mature Beech tree in a prominent position on the outskirts of the city. It appears to be in good health and is visible to the general public for a considerable distance. Trees such as this need to be protected to prevent the increasing urbanization of the Salisbury district.

**Options for consideration:**

Members should consider the Tree Preservation Order and decide on one of the following options:

- (1) **To confirm the order (and protect the tree)**
- (2) **Not confirm the order (and allow the tree to be felled)**

**Recommendations:**

The Tree Officer recommends the order is confirmed because the loss of the tree would detract from the visual amenity of the area.