

West Wiltshire District Council

Planning Committee

4 August 2005

Confirmation of Tree Preservation Order – Land West of The George, Woolley Street, Bradford on Avon

1. Purpose

This is brought to Committee to consider whether the trees covered by Tree Preservation Order No. 05/00007/IND should be confirmed with or without modifications or not confirmed.

Members will recall that this matter was deferred at the Planning Committee on 14 July 2005, pending further consideration of the issues involved.

2. Background

The site is located at the rear of 69 Woolley Street, Bradford on Avon. There is a large Leylandii hedge that stands at approximately 2.5 metres in height, which forms the southwestern boundary of the site, alongside the public. This hedge acts as a significant visual scene into the site, up to the point the public footpath meets the western corner of the site at the end of the Leylandii hedge. At this corner there are limited views into the site when the trees are in bud but not leaf.

There is a linear group of trees located along the northwestern boundary, which comprise mainly of sycamore, with one walnut tree. The Sycamore trees were made the subject of a Group Tree Preservation Order during the summer of 2004, which was later confirmed. This group of trees when in full leaf creates a solid screen and blocks virtually all views into the site. During the autumn / winter period there are limited views into the site.

The Group Tree Preservation Order that covers the trees along the northwestern boundary includes some additional Sycamore trees on the northern boundary. Located within this group on the northern boundary is a second Walnut tree, and at the end of the group there is a sub group of trees that comprise of a sycamore, Holly and cedar. The cedar tree is in a poor state of vigour and misshapen, due to the proximity of the other two trees. The Holly and Sycamore trees are in a fair state of vigour and would benefit from the Cedar being removed.

The remainder of the north and northeastern boundary is mainly open, with only bramble and other regenerative growth, which provides insignificant amenity value. The area to the southeast of the site is residential and at a lower level than the subject site. The boundary of the residential gardens offer partial screening when viewing in to the site, in the form of ornamental tree and shrub planting.

The main group of trees that are already the subject of a confirmed Tree Preservation Order can be viewed from most of the main roads surrounding the site. These roads include Woolley Street, Woolley Drive, Grange View, Bancroft, Coronation Avenue, and Sladesbrook. This main group of trees can also be partially seen from Woolley Terrace.

The area within the site is the host to a number of smaller trees, which includes Apple, Pear, and Crab Apple, which cannot be seen from surrounding roads. Some of these smaller trees are diseased, of poor quality or have suffered damage through neglect. Only four apple trees are only visible from the western corner of the site, from the footpath, during the autumn, winter and spring periods. There could be very limited views into the site from a small number of bedroom windows; however, this is not a point that assessments for Tree Preservation Orders would be carried out. In addition to the fruit trees the remaining area is covered by none maintained grass.

In general the trees to the west and north of the site provide significant landscape and amenity value and have already been protected by a Tree Preservation Order. However, during the autumn winter and spring period it is evident that a small number of additional trees are also worthy of protection because the boundary trees are in bud not leaf.

3. Representations Received

Representations have been received from interested persons expressing concern that the proposed Tree Preservation Order is not to be conferred on the four apple trees on the site.

The comments of the Council's Landscape Officer was that these trees are diseased and are of poor quality. It is intended that this be assessed by an Independent Arboriculturist and reported on the Late List on the evening of the Planning Committee.

4. Key issues

The assessment of trees within the conservation, is as stated, to assess trees that are worthy of a Tree Preservation Order. Although wildlife does benefit from the presence of trees, this is not formally a reason to make a Tree Preservation Order.

Due to the transparency of trees on the northwestern boundary of this site, during the autumn, winter and spring months, a small number trees have been assessed worthy of protection in addition to the Tree Preservation Order placed during the summer of 2004. These are four larger fruit trees, two Walnut trees, one Sycamore, and one Holly tree. Following further investigations, it has come to light that the footpath to the southwest has not been adopted, therefore not a public footpath. For this reason the four fruit tree should not be included if the order is confirmed.

The character of the area would be affected if the fruit trees were removed. However, fruit trees required regular maintenance to maintain good vigour, to produce a fruit crop. As these trees have not been maintained as orchard trees,

which would produce healthy fruits, they will most certainly go into decline and attract disease resulting in the loss of the tree/s.

Financial implications

None

Legal issues

Set out above

5. Options

None

6. Key decisions

Not applicable

List of background papers

West Wiltshire District Plan 1st Alteration – June 2004 – Policy C40
Part VIII of the Town and Country Planning Act 1990
Town and Country Planning (Trees) regulation 1999
DOE Circular 36/78 Tree and forestry

7. Recommendation (s)

Tree Preservation Order 05/00007 should be confirmed subject to modifications. The four apple trees should be omitted from the Order. Any subsequent planning application for this site should include a robust tree planting scheme, which includes the planting of a minimum of eight semi mature trees.

Name of Officers: Chris Kirk / Peter Westbury

Date of Preparation of Report: 26 July 2005