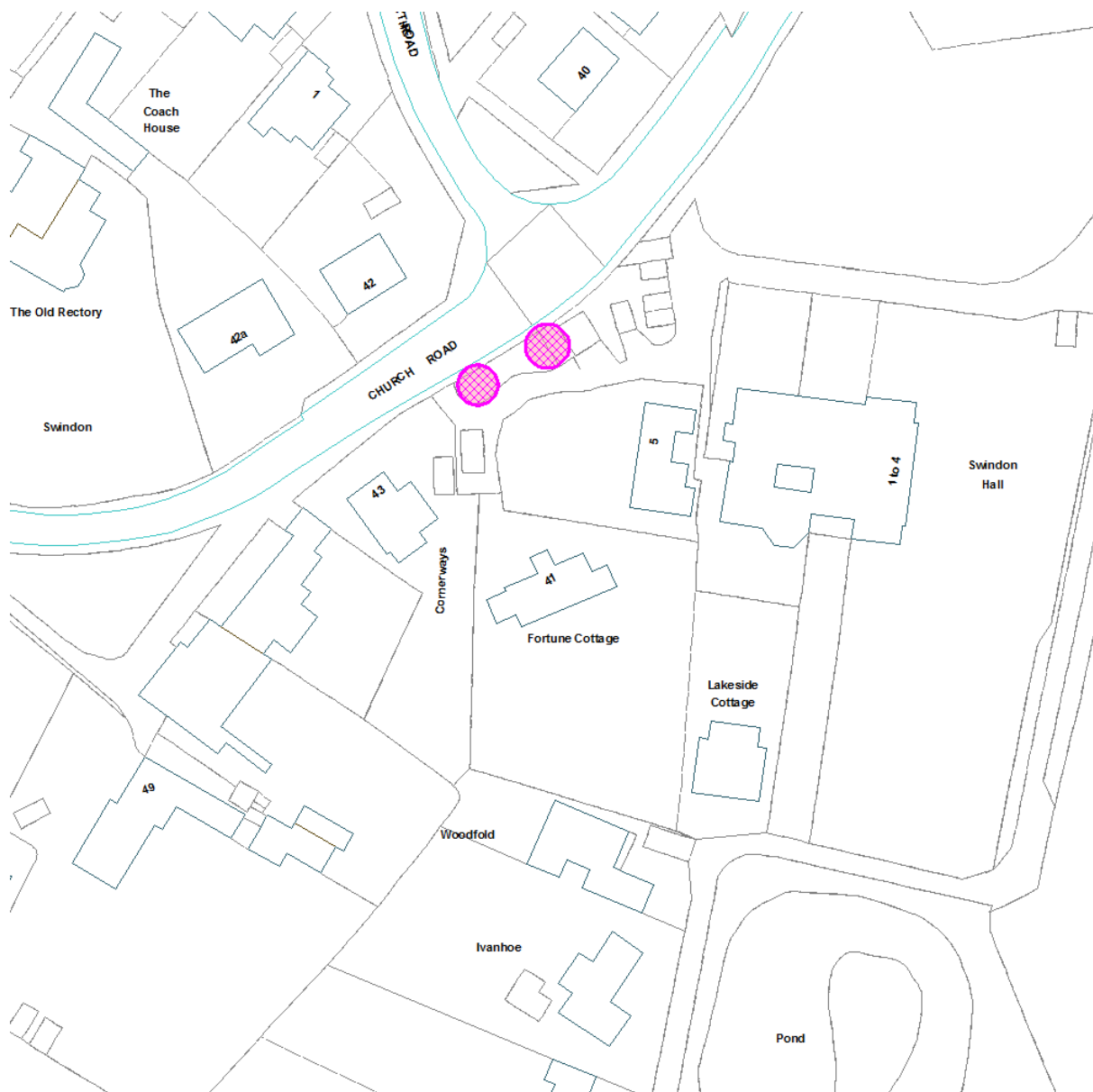


APPLICATION NO: 17/00827/CACN		OFFICER: Mr Christopher Chavasse	
DATE REGISTERED: 27th April 2017		DATE OF EXPIRY: 8th June 2017	
WARD: Swindon Village		PARISH: Swindon	
APPLICANT:	Mr J Parkinson		
AGENT:	Matt Hale Tree Surgery		
LOCATION:	Fortune Cottage, 41 Church Road, Swindon Village		
PROPOSAL:	Fell 2 Conifers adjacent to Church road		

RECOMMENDATION: TPO western tree by entrance; No Objection to removal of eastern tree by car port.



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Remove 2 cypress trees on driveway to front of Fortune Cottage.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 90m
Conservation Area

Relevant Planning History:

01/00128/CACN 2nd March 2001 NOOBJ

Silver Birch in rear garden: crown thin and remove lowest branch

06/01187/CACN 6th October 2006 NOOBJ

Walnut - remove 2 overhanging branches (walnut in garden of 4 Swindon Hall)

08/00336/CACN 4th April 2008 NOOBJ

Silver birch (T4 on plan) - fell

Silver birch (T5 on plan) - reduce back to 1m (approx) above previous pruning point, shorten back side branches all round to shape and lift to 12ft (approx)

09/01174/CACN 15th September 2009 NOOBJ

Silver birch along east boundary (T1 on plan) - crown reduce in height by 2-3m (approx) and reduce lower side branches by 50%(approx)

Small cypress on boundary adjacent to Lakeside Cottage(T2 on plan) – fell

10/01143/FUL 17th September 2010 PER

Alterations and extensions to dwelling

14/01366/CACN 26th August 2014 NOOBJ

1) T2 (as per plan) - Silver Birch - Reduce to previous reduction points; 2) T3 - Hazel - Remove 3 big limbs to clear holly and over fence; 3)T4 - Holly - Reduce by one third off top; 4)T5 - Apple - Fell; 5)T6 - Silver Birch - Reduce to previous reduction points

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

GE5 – The council will resist the unnecessary felling of trees on private land and will make Tree Preservation Orders when appropriate.

4. CONSULTATIONS

Parish Council

30th May 2017

Comments: Swindon Parish Council objects to the proposed removal of these trees which appear to be in sound condition.

The trees are well established and during their time we have not heard of any concerns or received any complaints regarding visibility of the road.

Trees contribute considerably to the character of the Village and particularly to the character of the conservation area. These particular trees are significant and provide an significant visual contribution to an important location. The trees should be retained to continue to thrive and enhance the Conservation Area and local landscape.

There are many benefits to trees but we fully appreciate that all trees need to be maintained which can require some pruning and from time to time and can also require reductions in their height and in the length and number of their branches but we do not believe that either of the trees are in a location or in a condition that are likely to cause nuisance and should remain.

It is our opinion that the removal of the trees should only be permitted if they are in a dangerous condition, likely to damage property or are dead. However, we are not tree experts and we believe that a site visit should be made to consider the issues regarding visibility and the tree officer should carry out an inspection to review the trees and perhaps put forward a proposal for works to the trees.

Cheltenham Tree Group

28th May 2017

We would suggest if not too late that replacement /s be planted if felling does occur.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	10
Total comments received	5
Number of objections	5
Number of supporting	0
General comment	0

5.1 2 site notices were erected close to trees.

5.2 Comments received are attached to this report.

6. OFFICER COMMENTS

6.1 Determining Issues

These cypress trees have a large public visual amenity, the western tree is suitable for a Tree Preservation Order as it scored 15 "TPO Defensible" on the Tree Evaluation Method for Preservation Orders (TEMPO). Whereas the eastern tree did not qualify scoring 8 "Does Not Merit TPO".

One of the reasons given for removing western tree is due to the tree being in the way of cars entering/exiting driveway. There is evidence of previous collisions with 1 of the stems however, this wound is old and such collisions do not appear frequent and are minor in nature. This tree is not growing quickly and as such the increase in girth of the traffic damaged limb work will be slowly gradual. There is an allegation that this tree is damaging the wall but the limb currently resting on the wall could be removed without detracting from the trees overall amenity. The crown of this westerly tree could also be raised to make vehicle access into/out of the drive easier.

The eastern tree is in poor structural condition and is growing more quickly than the western tree. It would not be possible to prune this tree to improve its appearance or the

owners would have to spend considerable sums repeatedly to ensure the tree is retained safely and does not damage the adjacent wall.

Whilst both trees provide considerable visual amenity to the neighbourhood and screening to neighbours (hence the objections), trees officers consider that only the western tree by the entrance is worthy of a Tree Preservation Order. Following discussions with the owner new more appropriate trees would be planted should this Council facilitate both trees removal (this is not legally enforceable).

6.2 The site and its context

The trees are situated along a private drive which joins and runs parallel to Church Road. The western tree is a multi-stemmed cypress (4 stems surround a central main stem) located at the entrance of the driveway. The eastern tree is situated further into the driveway next to the carport but still adjacent to the boundary wall. Both trees are clearly visible from Church Road.

6.3 Design and layout

The trees are situated within a grassed area directly bordering the private drive situated behind the retaining wall which separates Church Road from the private drive.

6.4 Impact on neighbouring property

These trees provide screening and so privacy to neighbouring properties. However, it is not the responsibility of these trees owners to provide such screening or privacy.

6.5 Sustainability

Retention of the western tree would retain some of the visual amenity and should a new more appropriate species be planted in/by the location of the eastern tree then this visual amenity would be retained in the longer term. Whilst this species of tree is visually pleasing and can provide a roost for bird life, such species is of low ecological value.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Tree officers recommend TPO western tree by entrance, and No Objection to the removal of the eastern tree by the car port.