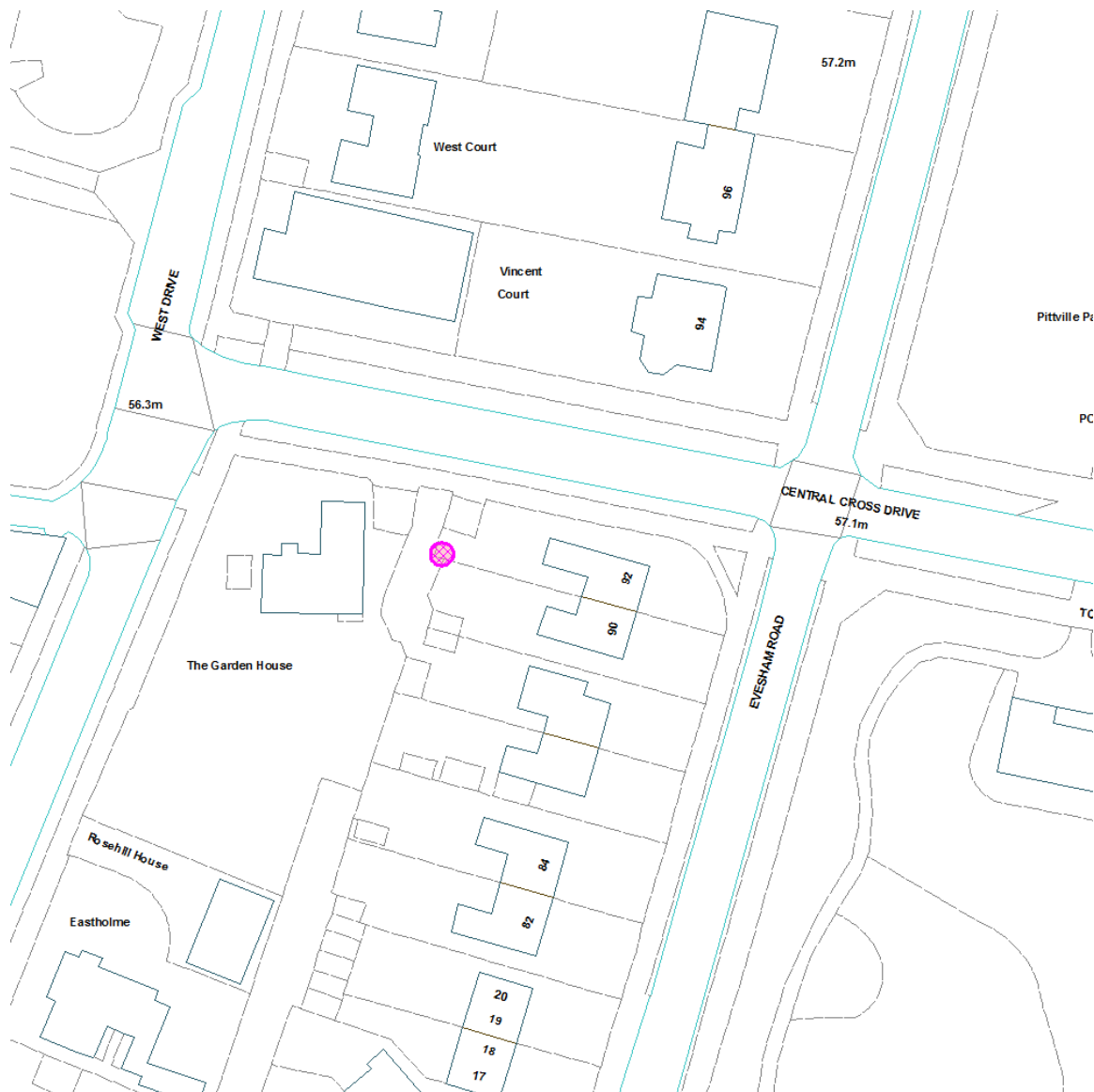


APPLICATION NO: 17/02348/CONF	OFFICER: Christopher Chavasse
DATE REGISTERED: 26 th October 2017	DATE OF EXPIRY: 14 th December 2017
WARD: Pittville	PARISH:
APPLICANT: Mr Charles Talbot	
AGENT: n/a	
LOCATION: 92 Evesham Road Cheltenham Gloucestershire	
PROPOSAL: Confirmation of TPO 751 Yew to the rear of 92 Evesham Road	

RECOMMENDATION: Order is Confirmed



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Confirmation of the Tree Preservation Order on a yew tree within the rear garden of 92 Evesham Road.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area

Relevant Planning History:

71/00308/PO 11th November 1971 REF

Erection Of Mews Type Bungalow Or House And Formation Of Vehicular And Pedestrian Access From Central Cross Drive.

73/00173/PO 1st June 1973 REF

Erection Of 2-Storey Side Extension And Single Storey Rear Extension For Additional Living Accommodation.

05/00631/CACN 13th June 2005 NOOBJ

Fell conifer in front garden and yew tree at rear

17/01711/CACN 26th October 2017 OBJECT

Removal of yew tree located in rear garden of 92 Evesham Road.

3. POLICIES AND GUIDANCE

Policy GE5 the Borough Council will resist the unnecessary felling of trees on private land and will make Tree Preservation Orders in appropriate cases.

4. CONSULTATIONS

N/a

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	3
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

- 5.1 Copies of the Tree Preservation Order were sent to immediate neighbours and 2 site notices were erected.

6. OFFICER COMMENTS

6.1 Determining Issues

A Conservation Area notification (17/01711/CACN) was submitted 31st August 2017 to fell the Yew tree in the rear garden. Trees Officers tried to negotiate with the owner, offering

pruning options enabling the tree to be retained but alleviating some of the issues Mr Talbot was experiencing. These options were not agreed to by Mr Talbot who remained determined to fell the tree. As such Tree Officers considered this tree worthy of a Tree Preservation Order to protect it.

To aid the evaluation of the tree's worthiness of a TPO a tree evaluation method for Tree Preservation Orders (TEMPO) assessment was undertaken. The tree was scored by Trees Officers as being 'Definitely merits TPO'. TEMPO is a widely used system in the industry by Trees Officers as a tool assisting decision making of TPO worthiness.

6.2 The site and its context

The tree is situated to the rear of 92 Evesham Road and is only significant from Central Cross Drive. Looking southwards from Central Cross Drive it is prominent, being less than 15M from the road. There are few other significant trees in rear gardens when viewed in this direction. This is an evergreen tree which could be up to 100 years old. Yew trees can live for several hundred years. The tree has a balanced symmetrical crown and has normal vitality for a tree of its maturity. There are no notable defects within the structure of the tree, and the crown of the tree has never been significantly pruned.

6.3 Design and layout

The tree trunk is about 15M west of the building. The tree is approx. 10M high and 8M in diameter. The tree is on the boundary between 92 and 90 Evesham Road and so shade will also be cast on the neighbouring property. This shade would be predominately during the evening. There are several other small trees and shrubs within the rear garden these are not visually significant from the public sphere. The Owner has large trees elsewhere on the property.

6.4 Impact on neighbouring property

The tree can be easily seen from the rear of adjacent properties. It casts shade on No. 90 and also Garden House at different times of day (neighbours have not complained about this). The tree sheds needles, pollen and other tree related debris into the gardens and parking area of 90 and 92 Evesham Road. The tree does not present an undue risk of failure of limb or branch work. Due to increasing girth the tree is pushing the bottom of the neighbour's close-board wooden fence. This is a slow growing tree and whilst pressure on the fence is evident such pressure is not increasing quickly. Any replacement fence could be designed in such a manner as to take account of future growth. Neighbours have not commented on existing damage to their fence.

6.5 Sustainability

The tree is recognised for its durability and long anticipated lifespan. There are many specimen yew trees within Pittville Park and this tree species is synonymous with Regency horticultural design.

6.6 Other considerations

This species of tree reacts well to sensitive pruning and Trees Officers consider that up to 1.5M crown reduction would not seriously detract from the tree's visual amenity nor have a detrimental impact on the long term health of the tree. This will partially address the concerns of the owner regarding shade cast. The damage to the footpath by tree roots could be rectified without removing the tree entirely. There are little or no other significant evergreen trees nearby in this direction and as such the tree has increased visual amenity value when deciduous trees are leafless.

7. CONCLUSION AND RECOMMENDATION

This tree is visually significant from the public sphere and Trees Officers recommend the Tree Preservation Order is Confirmed.