

APPLICATION NO: 21/02201/CONF		OFFICER: Mr Sam Reader	
DATE REGISTERED: 8th Sept 2021		DATE OF EXPIRY: 8th March 2022	
DATE VALIDATED:		DATE OF SITE VISIT:	
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill	
APPLICANT:	n/a		
AGENT:	n/a		
LOCATION:	16 Thompson Drive, Cheltenham, Gloucestershire		
PROPOSAL:	To confirm TPO no 781		

RECOMMENDATION: TPO is confirmed



1. DESCRIPTION OF SITE AND PROPOSAL

1.1 To confirm TPO 781 of copper beech tree at 16 Thompson Drive

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area

3. POLICIES AND GUIDANCE

Local Plan Policy GI2 Protection and Replacement of Trees:

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

In cases where trees are not protected by a Tree Preservation Order or by being within a Conservation Area, but contribute to the townscape and character of the town, the Council will consider including such trees in a Tree Preservation Order.

4. CONSULTATIONS

Two Site Notices were displayed adjacent to the tree.

Leckhampton Parish Council and local ward Councillors were informed by letter, and the tree owner and adjacent neighbour (who has a right to prune the tree where it traverses the property boundary) were served copies of the TPO.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	2
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

5.1 The adjacent neighbour at 14 Thompson Drive has objected to the TPO based on the stress it induces as a result of the nuisance it causes to his property:

- a) Falling branches onto parked cars in driveway,
- b) Tree debris blocking gutters,
- c) Tree blocks light into house,
- d) Roots damaging fence and driveway,
- e) Concerns over possibility of subsidence to property as a result of tree root activity,
- f) Tree extracts water from soil which impacts health of grass and plants,

- g) Tree crown is unbalanced which reduces visual amenity and will cause a future safety risk.

5.2 Comments Received

Comment from local ward Councillor Emma Nelson suggests it is the wrong species of tree for this location. Cllr Nelson is to submit further comment.

6. OFFICER COMMENTS

6.1 Determining Issues

This mature tree has a significant amenity value in the immediate environment. The tree is in good structural and biological condition for a tree of its maturity. The tree is not fully grown and has been previously significantly pruned where it traverses the property boundary by the neighbour at 14 Thompson Drive. If left, the tree will regrow. Previous pruning has left the crown unbalanced but this is an aesthetic rather than a structural consideration.

6.2 The site and its context

The tree is one of the few trees in an area with a sparse medium-large tree population density. The tree is large and potentially very large with dark foliage which casts significant shade when in leaf (May to October annually). The tree predates the adjacent houses in this area. It is likely over 80 years old.

6.3 Design and layout

The tree is situated to the front of 16 Thompson Drive and the front/side of 14 Thompson Drive. It is closer to 14 than 16 Thompson Drive. There is a garden room to the rear of 14 Thompson Drive. A telephone cable runs through the tree.

6.4 Impact on neighbouring property

The trunk of the tree is within 2-3 metre of the drive of 14 Thompson Drive and the crown is approximately 3 metres over the property boundary following the most recent pruning. The tree is to the north east of 14 Thompson Drive and as such casts some morning shade to the north of 14 Thompson Drive.

Being close to the building, falling tree debris has no doubt been an issue. There is evidence of the tree roots of the tree affecting tarmac in the driveway of 14 Thompson Drive. The ongoing effects of the roots of the tree will be stymied by the pruning works already undertaken on the tree. It would likely be possible to rectify the driveway and fence damage without the removal of the tree.

Whilst no doubt the tree does drop seasonal leaves, flowers, seeds, twigs etc, the impact of tree litter blocking drains could be reduced by installing gutter covers.

Whilst the tree extracts water from the ground under the garden of 16 Thompson Drive, the lawn appears to be in reasonable condition. It is noted that the cypress hedge around the lawn at 16 Thompson Drive will also be extracting moisture from this lawn area.

Should the tree be implicated in causing subsidence to the property and no other options are available other than complete tree removal this council would not likely refuse an application to fell.

6.5 Access and highway issues

Not applicable

6.6 Sustainability

It is considered that all visual and ecological benefits associated with this tree outweigh the nuisance caused to the objector/neighbour. The perceived nuisance will have been dissipated by the significant crown reduction on the side of 14 Thompson Drive.

7. CONCLUSION AND RECOMMENDATION

Trees Officers consider the Tree Preservation Order on this tree should be confirmed.