

22/00186/TORDER

Objector Mr Kilduff

Location 4 Farm Close, East Bridgford

Objection To East Bridgford No.1 Tree Preservation Order 2022

Ward East Bridgford

THE SITE AND SURROUNDINGS

1. The tree is within the ownership of 4 Farm Close, a property within a small estate of 23 houses constructed in the late 1980's. The tree is located within an area of grass to the side of the property which is open to the road. The space was presumably intended to provide a pleasant open appearance just within the entrance of the estate. Despite the modern age of the properties, Farm Close is located within East Bridgford conservation area.

DETAILS OF THE TREE PRESERVATION ORDER

2. The Tree Preservation Order (TPO) was made following a conservation area tree notice to fell a Whitebeam located close to the centre of the grassed area. The owner was concerned that the tree was affecting the quality of the lawn and bedding planting around the tree and made the point that these also enhanced the amenity of the area.
3. The TPO was made on the 17th November 2022. Under the Town and Country Planning (Tree Preservation) (England) Regulations 2012 the Order takes effect provisionally and needs to be confirmed within 6 months of the date it was made. The Council has a duty to consider all objections and representations that have been made before deciding whether or not to confirm the Order.

SITE HISTORY

4. In 2009 the Council allowed a Walnut tree to be felled in this location and the Whitebeam was planted as a replacement. The felling of the Walnut generated some public concern given the prominent location of the tree. The Council allowed the removal as the tree was closer to the house and leaned to one side with raised ground to the other, this indicated there may have been past root failure.

REPRESENTATIONS

Local Residents and the General Public

5. The owner of the property has objected to the TPO for the following reason.

- The grassed area to the side of the property was the venue for residents to enjoy a 'Street Meet' organised during the wonderful summer. It is planned to have a similar event to celebrate the Coronation of King Charles III in May 2023 and to hold annual events to help create a community spirit and ensure that neighbours know everyone in the Close. Such an event would be equal if not more valued contribution to the character of Farm Close, than a specific tree.
- The owner is concerned that it may not be possible for residents to enjoy the space and sunshine in the area below the current tree once it has spread its branches to the full potential.
- The owner would like to plant a less imposing tree which would satisfy both requisites of an aesthetic vista to the Close, whilst providing a great space where people can gather for social events.
- The owner is aware that the former tree was more imposing than the current Whitebeam will be, but it will create an imposition none the less.

APPRAISAL

6. Whitebeams are medium sized trees that can reach 20 metres, but a maximum height of 10-15 metres is more common and they are relatively slow growing. The spread of the trees is more modest at around 6 metres diameter. It is considered the tree is an appropriate species for the location and it will be a much smaller growing tree than the Walnut it replaced.
7. The tree was planted by the previous owner of the property. It is clear the new owner has enhanced the grassed area where the tree is located with a colourful strip of bedding plants around the outer edge. However, it is considered that the tree also makes an important contribution to the character of Farm Close with many of the properties having trees in the front gardens or incidental open spaces.
8. It is noted that the owner of the site wants to continue to use the grassed area for community events and is concerned the tree will restrict the use of this space. It is considered that this would only be the case if low branches caused an obstruction. The TPO would require anyone wishing to prune the tree to apply beforehand. Any application would need to be considered on its own merits, but it would be reasonable to allow lower branches to be pruned to enable adequate headroom under the canopy, thereby maximising the space available for events and allowing light and access below the canopy to enhance and maintain the lawn.
9. The conservation area tree notice to remove the Whitebeam did not specify that a replacement would have been planted and under the Act, the Council would have no authority to require a replacement in such circumstances. Whilst the Council would be reluctant to see the Whitebeam felled, if permission was granted for this work under the TPO it would allow a condition to be used to ensure a suitable replacement tree is planted.

RECOMMENDATION

It is **RECOMMENDED** that the East Bridgford No.1 Tree Preservation Order 2022 be confirmed without modification.