

DARLINGTON BOROUGH COUNCIL

PLANNING COMMITTEE – 12 DECEMBER 2018

**REPORT OF HEAD OF PLANNING DEVELOPMENT AND ENVIRONMENTAL
HEALTH TO AN OBJECTION TO TREE PRESERVATION ORDER 2018 NO 6
1 CHURCH CLOSE MIDDLETON ST GEORGE**

This application was deferred at the 14th November 2018 Committee Meeting to enable a site visit to take place on Friday 7th December 2018. The report below is identical to the one that Members have already considered at that meeting.

1.0 Purpose of Report

- 1.1 To advise members that an objection has been received in respect of Tree Preservation Order Number 2018 No 6. The objection relates to this order which covers one Semi/mature Pine (Pinus spp) growing in the front garden of 1 Church Close Middleton St George.

2.0 Recommendation

- 2.1 That members confirm the TPO without modification

3.0 Background

- 3.1 Tree Preservation Order 2018 No 6 was made on 9 August 2018 on one Semi/mature Pine Tree in the front garden of 1 Church Lane Middleton St George.
- 3.2 This Tree Preservation Order was made as a result of the occupier of 1 Church Close Middleton St George making an application to fell it. New Orders are only placed on healthy trees that are regarded as having a significant degree of public amenity.
- 3.3 An objection has been received from G Marsh, the owner of 1 Church Close Middleton St George in respect of the order being placed on the Semi/mature Pine Tree in the front garden of their property. No other objections have been received.
- 3.4 T1 is a semi/mature specimen in good form and condition with no visible structural weaknesses. The tree is highly visible and of high amenity value to the area and is also a good example of its species. The
- 3.5 The Tree Preservation Order was based on the following grounds :-

This Tree Preservation Order has been made as the tree included in the Order makes a valuable contribution to the amenity of the area. The tree appears to be healthy and in good condition and is a highly visible feature in the area.

The TPO is appropriate in the general interests of public amenity and in accordance with the Town and Country Planning Act (1990), Town and Country (Trees) Regulations 1999 and the Office of the Deputy Prime Minister's guidance to fulfil a statutory duty.

4.0 Summary of Objector's Comments

- No inspection by a qualified person from the agency wishing to protect the tree, has been made to understand the overall condition of the specimen and its potential for longer term safety (the property is surrounded by high hedging and has a gated access meaning the occupier would need to have been contacted to gain access).
- It would not detract from the overall amenity value of the area to fell this particular tree as:
 - It is oversized in conjunction with the volume of other trees in the locale is far from creating value to a domestic setting.
 - There is already in excess of 31 trees of varying scale within a 35 metre (114ft) radius of this particular tree and my home is situated amongst them all.
 - The canopy of this tree, in conjunction with a very large sycamore located at No 2 Church Close without maintenance, is serving to close off natural light from my dwelling and street light provision.
- This particular specimen is not native of this particular region and thus has a lower amenity value.
- The tree presents a significant encumbrance to health and safety to the premises and its occupants; from its poor ground setting, its overall growth pattern (as per the application to fell), its proximity to the main dwelling (approximately 5 metres/16ft) and its significant debris fall to walkway areas which are not supportive of the elderly resident.

5.0 Conclusion

The Semi/mature Pine Tree, is in good form and condition with no visible structural weaknesses. There appears to be no reason why the tree cannot add to the amenity value of the wider community for many years to come as it matures which justifies its protection.

Dave Coates
Head of Planning Development & Environmental Health