

EXETER CITY COUNCIL

**PLANNING COMMITTEE
26 APRIL 2010**

**OBJECTIONS TO TREE PRESERVATION ORDER NO. 612
(ST. PETROCKS CLOSE, EXETER) 2010**

1. PURPOSE OF REPORT

- 1.1 This report gives details of an objection that has been received by the Council to Exeter City Council Tree Preservation Order No. 612 (St. Petrocks Close, Exeter) 2010. The Committee is requested to determine whether to confirm, modify or refuse to confirm the Order. If an Order is confirmed (with or without modification) the protection that it provides becomes permanent but if it is not confirmed it ceases to have effect.

2. BACKGROUND

- 2.1 Tree Preservation Order No. 612 protects a Blue Cedar in the garden area of a group of flats in St. Petrocks Close, St. Leonards, Exeter.
- 2.2 Tree Preservation Order 612 was made following a Section 211 notification to fell a tree in a conservation area.
- 2.3 The Order was signed on 12 January 2010 and remains in force for a period of six months. If the Order is confirmed the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

3. POINTS RAISED BY THE OBJECTOR

- 3.1 One letter of objection has been received by a neighbour.
- 3.2 The objection can be summarised as follows:
- The cedar tree is estimated to be about 25 years old and 40-50 feet high. It can attain a height of 100 feet or more and will spread in all directions. It is unsuitable in the longer term for an urban environment.
 - The tree is close to the original cob boundary wall of 25 St. Leonards Road which is a Grade II listed building. The tree will cause undermining of the wall and ultimately its destruction, requiring ongoing periodic repairs/rebuilding.
 - The tree is to the south of the garden and overshadows the garden which mean the grass is continually covered in dew which results in moss infestation, the paths to the end of the garden are subject to moss growth and cause a slip hazard and plants fail to thrive due to the tree taking up their sunlight.

4. POINTS RAISED BY THE SUPPORTER

- 4.1 One letter of support has been received from a resident in St. Petrocks Close.

4.2 The letter of support can be summarised as follows:

- The dreary outlook that the removal of the cedar would make worse by exposing a vista of rooftops and walls.
- The tree felling has an adverse effect on air pollution.
- Diversity of trees is necessary for diversity of wildlife.
- Blue Cedars do not abound in St. Leonards and this one is a haven for small birds.
- Mature evergreens are essential in the water cycle vital to flora, fauna and our lives.
- The Blue Cedar must be preserved.

5. OBSERVATIONS

- 5.1
- The tree is semi-mature and will continue to develop as it reaches maturity, a satisfactory spatial relationship exists between the tree and its surroundings, the tree can be allowed to develop for many years before it outgrows its location.
 - The wall appears to be in a poor state of repair, there is no evidence that the disrepair of the wall is caused by the tree at the present time.
 - The existence of moss within an adjacent garden is no justification to fell the tree.
- 5.2 Members of the Western Area Working Party on 6 April requested a site visit to assess the tree. Members supported officer's recommendation to confirm the order.

6. RECOMMENDATION

- 6.1 It is recommended that the Order be confirmed.

RICHARD SHORT
HEAD OF PLANNING AND BUILDING CONTROL

ECONOMY AND DEVELOPMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling this report:

1. Council to Exeter City Council Tree Preservation Order No 612 (St. Petrocks Close, Exeter) 2010.