

EXETER CITY COUNCIL

PLANNING COMMITTEE
16 JANUARY 2012

**OBJECTIONS TO TREE PRESERVATION ORDER NO. 637
(WESTHAY, STREATHAM RISE, EXETER) 2011**

1. PURPOSE OF REPORT

1.1 This report gives details of objections that have been received by the Council to Exeter City Council Tree Preservation Order (TPO) No. 637 (Westhay, Streatham Rise, Exeter) 2011. The Committee is requested to determine whether to confirm, modify or refuse to confirm the Order.

2. BACKGROUND

2.1 This TPO protects one Eucalyptus tree in the front garden of Westhay, Streatham Rise, Exeter.

2.2 The TPO was made following email correspondence from a tree surgeon enquiring whether the tree was protected or not. The tree was not protected at the time of the enquiry. Due to the enormous size and high public visual amenity value of the tree, an emergency order was made to secure the tree.

2.3 The TPO was signed on 10 August 2011 and remains in force for a period of six months. If confirmed the TPO becomes permanent, if not it ceases to have effect.

3. POINTS RAISED BY THE OBJECTORS

3.1 A letter of objection has been received from the owner of Westhay and another from the owners of Archerfield, the neighbouring property.

3.2 The objections can be summarised as follows:

- The tree was planted by the owner in 1978 but “has grown out of proportion and expectation” and is now over 60 feet high. Good husbandry requires it to be topped.
- The tree overhangs Archerfield, dropping branches and debris which damages cars parked beneath, and blocks gutters and down pipes;
- The tree creates excessive shade, to the detriment of other trees and plants.
- The roots of the tree could potentially cause damage to the foundations of Archerfield and a major public sewage pipe nearby;
- The tree has a very limited amenity value as it can only be seen by a limited number of people.

4. OBSERVATIONS

4.1 • The tree is healthy and structurally sound. Every tree sheds materials such as branches, barks, leaves and seeds and creates shade. These are not reasons to withhold a TPO;

- There is no evidence that the tree has caused any damage to the neighbouring property and/or the public sewer;
- The tree has an obvious high visual amenity value due to its size and location.

5. NORTHERN AREA WORKING PARTY

5.1 Members at the Northern Area Working Party on 12 December 2011 supported confirmation of the TPO.

6. RECOMMENDATION

6.1 It is recommended that TPO 637 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 637 (Westhay, Streatham Rise, Exeter) 2011