

EXETER CITY COUNCIL

PLANNING COMMITTEE

19th FEBRUARY 2007

**OBJECTIONS TO TREE PRESERVATION ORDER NO.563
(SAINSBURY'S SUPERSTORE, ALPHINGTON ROAD, EXETER), 2006.**

1. PURPOSE OF REPORT

- 1.1 The following report gives details of objections that have been received by the Council to Exeter City Council Tree Preservation Order No. 563 (Sainsbury's Superstore, Alphington Road, Exeter). 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. 563 comprises of two groups, G1 & G2, and two woodlands W1 & W2, the Order protects the majority of trees growing within the site, including alongside Alphington Road, the internal access road and on the now disused railway embankment to the southeast.
- 2.2 The Order was signed on 5th September 2006 and remains in force for a period of 6 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 OBJECTORS

- 3.1 One letter of objection has been received from a company of planning consultants representing the owner of the site.
- 5.1 The objection can be summarised as follows.
- The trees growing on the former railway embankment are self sown and are of poor to fair physiological condition.
 - The term woodland is misleading as the trees cover only a small area of land extending to approximately 0.5hectares.
 - The former railway embankment is dissected to the southwest by Church Road and the northeast by a blind-ended road.
 - An application has been submitted to construct the Grace Road Link, (policy T14 of The Exeter Local Plan First Review 1995-2011) and extend the existing car park resulting in the loss of trees from within area W1, G1, and G2.

- If the above planning application is granted Sainsbury's will provide replacement planting and introduce a comprehensive tree management scheme.

3.3 One letter of support has been received from a resident of Fairfax Gardens. The letter refers to the visual importance of trees growing within the former railway embankment.

4. OBSERVATIONS

- A Tree Preservation Order is used to protect both planted and naturally occurring trees. While individually the trees on the former railway embankment are of indifferent quality as a group they represent an important landscape feature, with wild life value.
- The term woodland is not defined in the Town and Country Planning Act, it is used to describe a large mixed group of trees, where counting or accurately plotting trees is not practical.
- Despite the former railway embankment being dissected to the southwest and northeast, it measures approximately 200m in length and as referred to above represents an important landscape feature within the area.
- The current planning application will be considered on its merits, the proposed loss of some trees from within area W1, G1, G2 suggests the protection of the remaining trees remains an important factor.
- The grant of any planning consent would normally include a planning condition requiring the replacement planting and subsequent management of trees.

4.1 Western Area Working Party on the 30th January 2007 supported confirmation of the Order.

5. RECOMMENDATION

5.1 It is recommended that the Order be confirmed without modification.

RICHARD SHORT
HEAD OF PLANNING SERVICES

ECONOMY AND DEVELOPMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:

1. TPO 563 (Sainsbury's Superstore, Alphington Road, Exeter), 2006.