



**DECISION
DIRECTOR OF DEVELOPMENT AND ENVIRONMENT**

DECISION No. 175 DE 16/17

SUBJECT:

**District of North Somerset – Yeolands 236 Clevedon Road, Tickenham BS21 6RX
(No. 1039) Tree Preservation Order 2016.**

DETAILS:

Tree Preservation Order 1039 was made 3 May 2016 to protect 6 Individual trees and 1 group of six trees. The period for receipt of objections has now expired.

After six months from the date a Tree Preservation Order (TPO) is made the trees protected therein lose the protection of the section 201 direction. If the council wish to confirm the TPO as it stands, or confirm it subject to modification, the decision must be made before the end of the six months.

CONSIDERATION OF OBJECTIONS AND OTHER REPRESENTATIONS:

One objection to the making of the tree preservation order was made. This was by the purchaser of the land and therefore the new tree owner.

1. TPO was made at short notice under the fear that the trees were under threat.
Response: That this is normal procedure when making and serving a Tree Preservation Order.
2. There was no regard to the position of the trees in relation to others and no regard to the neglected condition of the trees.
Response: The decision to include certain trees on the site and exclude others was made on the basis that some were of far better quality than others with a higher amenity value and a higher life expectancy. While some dead wood removal or minor tree surgery could improve the aesthetic of one or two of the protected trees they are not in a dangerous or sick condition.
3. Reasonable cutting and pruning of lower branches of the mature silver birch will aid the development of this small tree. We feel that the TPO does not encourage us to move forward with a maintenance plan of this type due to the complicated procedures necessary to undertake any tree work.
Response: In the council's view the tree work application process is not complicated or difficult and should not discourage good management of trees. It does however ensure that tree work is of good quality and in accordance with

good arboricultural practice. The application process is free and many tree surgeons will apply on behalf of their client at no extra cost.

4. The walnut lies in the middle of the rear section of the land site. It is not visible from the road or the open land on the other side of the river Yeo. It should not be included in the TPO as it does not add in any way to the interests of public amenity.

Response: The tree is visible from the Public Right Of Way that runs along the rear of the site and does contribute to the character of the area. A number of trees are likely to be removed including the nearby cypress. This will further increase the view of the walnut which is a relatively young specimen of good form and with a long life expectancy.

5. [Ash trees T4, 5 and 6] The trees are suffering from excessive ivy growth. Parts of the trees have decayed and there are broken and fallen branches lying in the body of the trees.

Response: Ivy does not harm trees. It can be severed at the base or otherwise removed without permission. The removal of dead wood can also be carried out without permission. No decay of the stems or branches were noted during inspection but should the structural condition of the trees be in question then inspection from a competent tree professional is advised. Any issues that require remedial work should be submitted in a tree work application form along with supporting evidence where required.

6. The TPO will restrict any motivation we have to save the trees. It is accepted that the TPO places a small hurdle in front of tree managers but this is not judged to be onerous and serves to protect trees that may otherwise be removed or harmed.

DECISION:

That Tree Preservation Order 1039 is confirmed without modification.

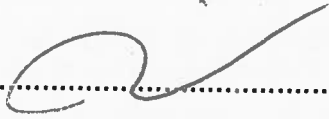
Reasons:

1. The trees are visible to the general public and contribute to the green infrastructure and biodiversity of the area.
2. The trees appear to be in reasonable condition with reasonable life expectancy.
3. The TPO will ensure that any work carried out to the trees is in accordance with good arboricultural management in the interests of public visual amenity.

Other Alternatives Considered:

None.

Signed.....



John Flannigan
Community and Environment Services
Manager, Natural Environment, Streets
and Open Spaces – on behalf of and
exercising the powers of the Director of
Development and Environment.

Dated.....

27/10/2016

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