

APPEALS AND REVIEWS COMMITTEE
23RD OCTOBER 2023

Report of the Head of Governance and Human Resources

BOROUGH OF CHARNWOOD (BRADGATE ROAD, NEWTOWN LINFORD)
TREE PRESERVATION ORDER 2023

The above order relates to individual trees (T1 – T23) and groups of trees (G1 – G4) as detailed in the order and situated on Bradgate Road, Newtown Linford.

The Council's Head of Planning and Growth considers that the trees make a significant contribution to the visual amenity, character and appearance of Newtown Linford. The Council received a S211 notice of intention to carry out works to an oak at a property on Bradgate Road, Newtown Linford. On examination, the property was outside of the Conservation Area and the tree was therefore without any formal protection. The works have since been carried out following confirmation that the tree was not protected. The Council's Senior Landscape Officer subsequently reviewed all significant trees along the road outside of the Conservation Area. A number of the trees have received poor level of works which have disfigured them. They include ash, oak, maple, cherry plum, flowering cherry, deodor cedar, beech, willow, pine, magnolia and yew. The trees are all in fair to good physiological condition. Therefore, the Head of Planning and Growth considered it prudent to create a Tree Preservation Order covering the majority of significant trees along this approach into Newtown Linford, to ensure that the trees are properly protected and retained in a satisfactory manner. Young, poor or compromised trees were not included.

Therefore, an Order was made on 5th May 2023 to provisionally protect the trees.

A copy of the Order is attached at **Annex 1**.

Objections to the Order were received as follows:

- A. From No. 484a - A representation stated on the returned Statement of Information "Tree **(T9)** hangs over a private drive restricting vehicle access, pruned back most years, the tree is now unbalanced, please reconsider".
- B. From No. 482 – A representation that the Tree **(T10)** belongs to the neighbour. It does not confirm the number of the neighbour's property (states next door and illustrates on plan), likely 484 and that property has not been notified of the order.
- C. From No. 480a – A representation that the Tree **(T12)** was cut down in October 2022 with evidence of the payment for that work. A phone call was also received immediately after serving the order to that effect.

- D. From No. 470 – A representation that group of trees (**G3**) described on the Order as 1 monkey puzzle, 3 yew is in fact 1 monkey puzzle but no yew.
- E. From No. 400 – A representation stated on the returned Statement of Information that the Tree (**T23**) already has a TPO on it served in 2020.

Copies of the objections are attached at **Annex 2**.

The Head of Planning and Growth's comments on the issues raised in the objections are attached at **Annex 3**.

The Committee is asked to consider the issues raised by the objector and the comments of the Head of Planning and Growth in accordance with the procedure set out and to determine whether or not the Tree Preservation Order should be confirmed and, if so, whether with or without modification.

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