

APPEALS AND REVIEWS COMMITTEE
27TH JANUARY 2020

Report of the Head of Strategic Support

ITEM 5 BOROUGH OF CHARNWOOD (161 SWITHLAND LANE,
ROTHLEY) TREE PRESERVATION ORDER 2019

The above Order relates to a Redwood tree (T1) located in the rear garden of 161 Swithland Lane, Rothley. A Conservation Area Notice was received seeking to fell the tree, citing root heave of the tennis court surface at 163 Swithland Lane. However, the Council's Head of Planning and Regeneration considers that the surface is old and degraded with cracks well beyond the root zone of influence and in need of replacement, such that resurfacing could be designed to minimise risk of localised disturbance heave and without loss of the tree. It is considered that removal of the tree, which is an early mature specimen, in good condition, relatively unusual and an interesting feature meriting retention, would yield a significant adverse impact on the landscape character of this part of the Conservation Area, such that it is appropriate to ensure that the tree is properly protected and retained in a satisfactory manner through the making of this Tree Preservation Order.

Therefore, an Order was made on 30th August 2019 to provisionally protect the tree.

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

An objection to the Order was received on 26th September 2019 from the agent acting on behalf of the occupiers of 163 Swithland Lane, Rothley.

A copy of the objection is attached at **Annex 2**.

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

In conclusion, the Committee is asked to consider the issues raised by the objector and the comments of the Head of Planning and Regeneration 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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