

Committee: Planning

Agenda Item

Date: 28th August 2013

5

Title: Tree Preservation Order 04/13 22 West Road Saffron Walden

**Author: Ben Smeeden
Landscape Officer**

Item for decision

Summary

1. This item seeks the Committee's consideration of an objection received in respect of the making of a tree preservation order (TPO) on a pine tree in the grounds of 22 West Road, Saffron Walden. The objection has been made by the occupiers of a neighbouring property.

Recommendations

2. **Tree Preservation Order No. 4/13 is confirmed without amendment.**

Background Papers

3. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

TPO No.4/13 and letter of objection to the making of the TPO.

Impact

- 4.

| | |
|---------------------------------|--|
| Communication/Consultation | The owner and objector to be advised of decision |
| Community Safety | None |
| Equalities | None |
| Health and Safety | None |
| Human Rights/Legal Implications | None |
| Sustainability | None |
| Ward-specific impacts | None |
| Workforce/Workplace | None |

Situation

5. In the interests of amenity a tree preservation order was made on the 26th June 2013 protecting a pine tree in the grounds of 22 West Road [appendix 1].
6. The pine tree is a mature specimen of some 12m in height situated in the front garden of 22 West Road and close to the boundary with 20 West Road. The tree is a prominent feature in the street scene, contributing to the quality and fabric of this part of the conservation area [appendix 2].
7. An objection to the making of the TPO has been received from the adjoining neighbours at 20 West Road. The grounds of objection are as follows: Pine cones from the tree block roof gutters causing a risk of water damage and we have to constantly sweep cones off our driveway and path. Pigeon droppings fall onto our car. We have five children and are fearful of the constant hazard of falling debris/branches from the tree.
8. It is not disputed that the tree sheds pine cones and that these fall onto the parking area and path at No.20. Whilst this may be an annoyance it is unlikely that this constitutes an actionable nuisance. Previous pruning of the branch tips overhanging part of the roof of No.20 has reduced the risk of cones blocking the roof guttering.
9. Pigeon droppings are inevitably a source of irritation by falling on parked vehicles. However, it is unlikely that this would be considered an actionable nuisance.
10. There is no evidence to indicate that the tree is in a dangerous condition.

Risk Analysis

11.

| Risk | Likelihood | Impact | Mitigating actions |
|------|------------|--------|--------------------|
| 1 | 1 | 1 | none |

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix 1: TPO 04/13 map

UDC TPO 04/13

22 West Road Saffron Walden



GIS by ESRI (UK)



Scale : 1:1250

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|---------------------|-----------------------------|
| Organisation | UTTLESFORD DISTRICT COUNCIL |
| Department | PLANNING |
| Comments | Not Set |
| Date | 25 June 2013 |
| SLA Number | Not Set |

Appendix 2; Photograph of Pine tree.

