



<b>Development Control Committee</b>	<b>Thursday, 30 August 2018</b>	<b>Matter for Decision</b>
--	-------------------------------------	----------------------------

**Report Title:** **The Borough of Oadby and Wigston (45 Woodfield Road, Oadby) Tree Preservation Order 2018**

**Report Author(s):** **Michael Bennetto (Arboricultural Officer)**

<b>Purpose of Report:</b>	The purpose of this report is to seek a decision from the Committee to confirm or otherwise The Borough of Oadby and Wigston (45 Woodfield Road, Oadby) Tree Preservation Order 2018 ("the Order") which was made on the 12 June 2018.
<b>Report Summary:</b>	The Order was created following a request from a Planning Officer in response to a planning application whereby the design of the building and the aspect of feature windows would give rise to considerable pressure for its future removal.
<b>Recommendation(s):</b>	<b>That The Borough of Oadby and Wigston (45 Woodfield Road, Oadby) Tree Preservation Order 2018 be confirmed.</b>
<b>Responsible Strategic Director, Head of Service and Officer Contact(s):</b>	<p>Anne Court (Chief Executive) (0116) 257 2606 <a href="mailto:anne.court1@oadby-wigston.gov.uk">anne.court1@oadby-wigston.gov.uk</a></p> <p>Adrian Thorpe (Head of Planning, Development and Regeneration) (0116) 257 2645 <a href="mailto:adrian.thorpe@oadby-wigston.gov.uk">adrian.thorpe@oadby-wigston.gov.uk</a></p> <p>Michael Bennetto (Arboricultural Officer) (0116) 257 2697 <a href="mailto:michael.bennetto@oadby-wigston.gov.uk">michael.bennetto@oadby-wigston.gov.uk</a></p>
<b>Corporate Priorities:</b>	Balanced Economic Development (CP3) Green & Safe Places (CP4) Wellbeing for All (CP5)
<b>Vision and Values:</b>	Accountability (V1) Customer Focus (V5)
<b>Report Implications:-</b>	
Legal:	All legal requirements have been fulfilled and interested parties are to be informed of confirmation as soon as reasonably practicable.
Financial:	There are no implications directly arising from this report.
Corporate Risk Management:	No corporate risk(s) identified.
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There may be implications under Articles 1 and 8 of the Protocol

	No. 1 to the European Convention on Human Rights regarding the right of respect for the peaceful enjoyment of possessions and a person's private and family life and home. However, these issues have been taken into account in the determination of this Order.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	All persons interested in the land affected by the Order.
<b>Background Papers:</b>	<a href="#">Town and Country Planning Act 1990 Part VIII, Chapter I, Trees</a> <a href="#">The Town and Country Planning (Tree Preservation)(England) Regulations 2012</a> <a href="#">Planning Application No. 18/00221/FUL</a> <a href="#">Protocol No. 1 to the European Convention on Human Rights</a>
<b>Appendices:</b>	<b>1.</b> TPO - Land at 45 Woodfield Road, Oadby (Provisional)

## **1. Information**

- 1.1 The Order was created following a request from a Planning Officer in response to a planning application (application reference no. 18/00221/FUL). Within the application, the tree is to be retained, however due to the design of the building and the aspect of feature windows there would be considerable pressure for its future removal.
- 1.2 The tree is located within the front garden of no. 45 Woodfield Road, Oadby, in a prominent position nicely situated opposite the junction for Holme Drive, Oadby.
- 1.3 The tree is a middle aged silver birch (*Betula pendula*) which presents as having been well maintained, with a clear single stem and even branch structure. It has been sympathetically reduced several times leading to the formation of small 'knuckles' at the points of reduction.
- 1.4 The tree provides good amenity to local residents and is appropriate for the location
- 1.5 On 12 June 2018, Notices were served on interested parties in accordance with The Town and Country Planning (Tree Preservation)(England) Regulations 2012, Regulation 5.
- 1.6 No representations were made in support or objection of the Order within the timeframe under Regulation 6.

## **2. Conclusions and Recommendation**

- 2.1 The tree provides good amenity value to the area and has a good safe useful life expectancy with no apparent reason to suggest it cannot continue to be kept in good form and condition.
- 2.2 It is recommended that the Order be confirmed.