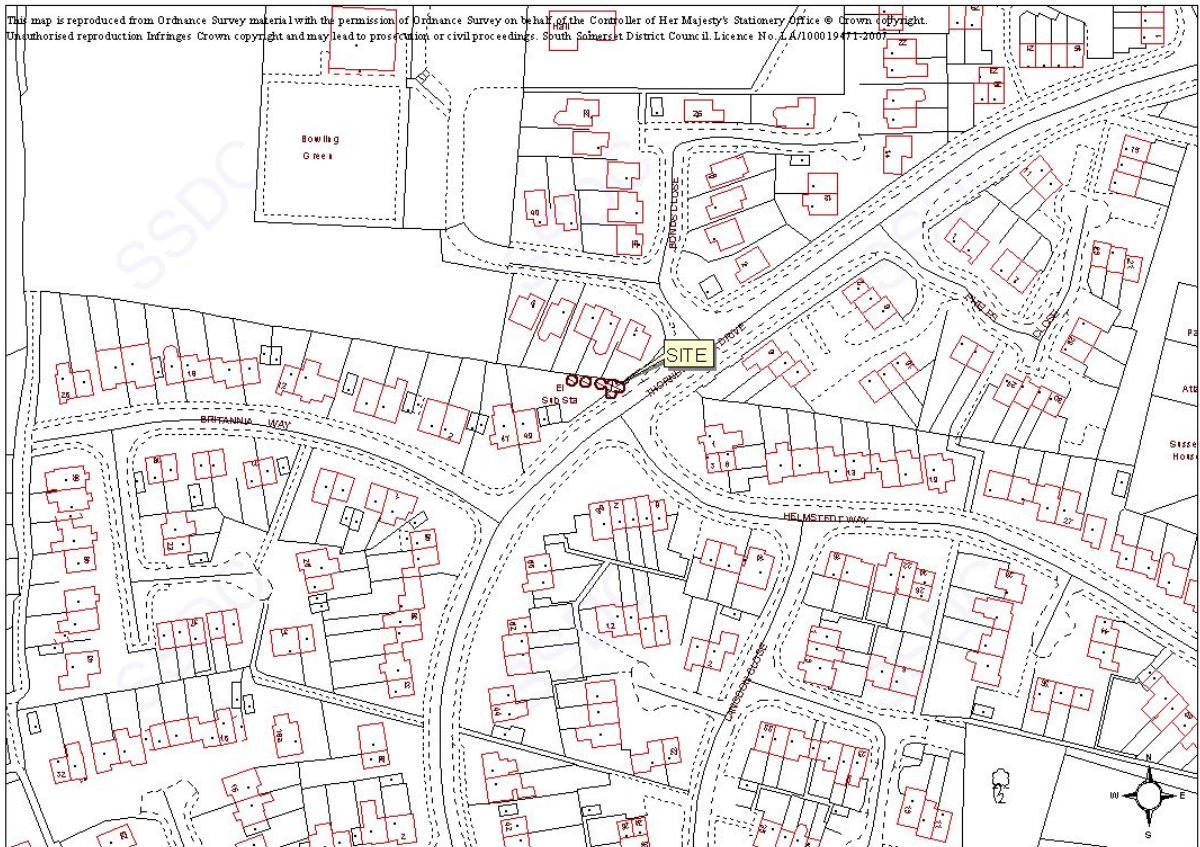


**OFFICER: Francis Jones 01935 462670 [Item 3]**  
**APPL.NO: 07/01792/TPO APPLICATION TYPE: Tree Preservation Order**  
**PARISH: Chard WARD: CRIMCHARD (CHARD)**  
**DESCRIPTION: Application to fell 6 trees shown as being within Group G1 of the South Somerset District Council (Chard No.4) Tree Preservation Order 2006 (GR 332546/109615)**  
**LOCATION: 49 Thorndun Park Drive Chard Somerset TA20 1DH**  
**APPLICANT: Susan King**  
**AGENT: Colin Rolfe 2 Langdon Road Chard Somerset TA20 1DP**  
**DATE ACCEPTED: 13 April 2007**

**REASON FOR REFERRAL TO COMMITTEE:**

At the discretion of the Planning Team Leader to allow members to consider the application.

**SITE LOCATION:**



The trees are in an old field hedgerow which runs from Thorndun Park Drive and is then the rear garden boundary between Britannia Way and Bonds Close.

**PROPOSAL:**

The application is to fell the first 6 of the protected trees in the garden of 49 Thorndun Park Drive starting from North East corner of the garden.

**HISTORY:**

The Council's tree officer visited the site in July 2006 after a neighbour informed him that the owner was considering felling the trees. The Tree Officer viewed the trees from outside the boundary of the property. The trees were oak and were clearly an important landscape feature. The trees are part of an old field hedge which runs at the back of Britannia Way. Other much larger trees in the same hedgerow were TPO'd in 1982 before the estate was built. On the 21st July 2006 a Provisional Tree Preservation Order was placed on this group of hedgerow trees. The Tree Officer later inspected the trees from within the garden and was able to confirm that they were in good condition.

The owner of 49 Thorndun Park Drive objected to the proposal stating the following points:

- It is my land
- There was no preservation order on when I bought the property
- Why a neighbour can and can't say what I do on my property
- Nasty neighbours
- Louts on Saturday nights get into my property
- Things stolen out of my shed i.e. hedge trimmers and leaves collection blower
- Property damage, summer house, garden shed
- Trees have uprooted themselves in high winds
- They are too big and too dangerous
- Danger to young children and old age pensioners

The Tree Officer considered the objections and decided that none of the points raised could be considered as valid reasons not to confirm the provisional TPO.

The TPO was confirmed on the 20th December 2006 after Councillor Angie Singleton, former Chairman of the Committee and Councillor Jean Smith, ward member, agreed that the provisional order should be confirmed.

#### CONSULTATIONS:

The Chard Town Council minutes record that they will refer to the arborist.

#### REPRESENTATIONS:

A site notice was displayed and 10 letters of objection to the application were received from neighbours raising the following comments:

- The natural beauty they bring to the area
- The wildlife they attract
- A benefit to the people of the area
- The occupant has only lived there a short time

#### CONSIDERATIONS:

The applicant wishes to fell the trees because she considers them to be 'dangerous, too near the property and forest trees not garden'.

The trees that the applicant wishes to remove are the 6 trees nearest Thorndun Park Drive and the most visible. The removal of these 6 trees would certainly have a dramatic affect on the landscape of the immediate area, particularly when viewed from Thorndun Park Drive.

The arborist has inspected the trees the owner wishes to fell and confirms that they are not dangerous. None of the trees are more than 9 metres high and are considerably smaller than other protected oak trees in the same hedge line. The garden is to the South of the trees so cause minimal shade. The trees do have the potential to grow much larger, but any reasonable request to prune the trees in the future would be looked at sympathetically.

#### RECOMMENDATION:

##### **Application Refused**

1. The applicant has failed to clearly demonstrate why it is essential that the protected trees are felled and therefore their loss would have a detrimental impact upon the character of the area.
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