

**Agenda Item No 8**

**Planning and Development Board**

**3 September 2018**

**Report of the  
Head of Development Control**

**Confirmation of Tree Preservation  
Order - Caldecote**

**1 Summary**

- 1.1 Following emergency agreement to the making of a Tree Preservation Order at Caldecote, the Board is now recommended to confirm the Order.

**Recommendation to the Board**

**That having considered the representations received, the Board confirm the Order for the trees at Caldecote as described in this report.**

**2 Background**

- 2.1 Council Officers were called to Caldecote Hall in March earlier this year as a consequence of members of the public asking about the felling of mature trees around the Hall. The visit confirmed that this was the case and there appeared to be no reason for that work. In view of the significance of the tree cover here and the overall parkland setting, together with its public accessibility and visibility, an Emergency Tree Preservation was made following agreement by the Chairman.
- 2.2 The Order is an area Order, and a copy of its extent is attached at Appendix A.
- 2.3 A period of consultation has been undertaken and three representations have been received.

**3 Representations**

- 3.1 The first representation is from someone who owns some of the land covered by the Order as well as adjoining property. The author draws attention to a number of yew trees close by and referred to in the Order. He considers that the Order should not include these yews as they are “too big” and “pose a serious long term danger”.
- 3.2 The second is from another owner of the land covered by the Order and has asked for the exclusion of the land from the Order as there is no intention to remove trees from this land.

- 3.3 The third is from Caldecote Hall Residents Management Ltd. It requests the removal of the sycamores and holly trees from the Order. The sycamores are said to be of low quality and will suppress better quality trees in the Area covered by the Order. The holly trees are said to never been part of the original planting on the estate and have become self-setting in inappropriate locations.

#### **4 Observations**

- 4.1 Members are aware that Tree Preservation Orders are made “where it is expedient in the interests of amenity”. This was the case here in making the initial Order. Members will be familiar with the parkland setting of the Hall and its former stable block. Additionally recent developments have taken account of mature trees within the estate. The small church here is a Listed Building and there are public footpaths running through the Estate. As a consequence there is a very significant amenity interest in retaining the woodland setting. That interest extends to there being wide public visibility of the estate not just in its immediate area but over a far wider setting including from the much higher ground to the south.
- 4.2 Members are also aware that an Order does not prevent works being agreed to the trees. This includes felling as well as for tree management works. The issues covered by all three representations do not therefore mean that the trees remain as they are in perpetuity. Any proposed works will have to be evidenced and then agreed by the Council by way of application.
- 4.3 It is thus for these reasons that there is not considered to be a reason here of such weight as to reconsider the extent or scope of the Order. The value in the amenity of the Order rests in the setting and parkland as a whole, not on a tree by tree basis.

#### **5 Report Implications**

##### **5.1 Finance and Value for Money Implications**

- 5.1.1 There are no implications to the Council in confirming the Order. Members will be aware however that in certain circumstances, future refusals to agree to works to protected trees may result in claims for compensation.

##### **5.2 Links to Council’s Priorities**

- 5.2.1 The decision to confirm will accord with the Council’s priorities in protecting and enhancing its rural character and heritage.

The Contact Officer for this report is Jeff Brown (719310).

## Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
1	C Webster	Representation	20.04.18
2	G Williams	Representation	02.04.18
3	G Harker	Representation	16.04.18

**Schedule 1, Specification of trees**

**Trees specified individually**

(encircled in black on the map)

Reference on map	Description	Situation
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NONE

**Trees specified by reference to an area**

(within a dotted black line on the map)

Reference on map	Description	Situation
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A1	Oak, Holly, Yew, Maple, Cedar, Willow, Lime, Fir, Ash, Chestnut, Pine, Birch, Sycamore, Acer, Sorbus, Beech, Hornbeam, Spruce, Cypress, Wellingtonia, Redwood trees within the area marked A1 on the map	On land known as Caldecote Hall, Caldecote Hall Drive and Caldecote Hall Lane, Caldecote covering postcodes CV10 0TW, CV10 0TN and CV10 0UL
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**Groups of trees**

(within a broken black line on the map)

Reference on map	Description (including number of trees of each species in the group)	Situation
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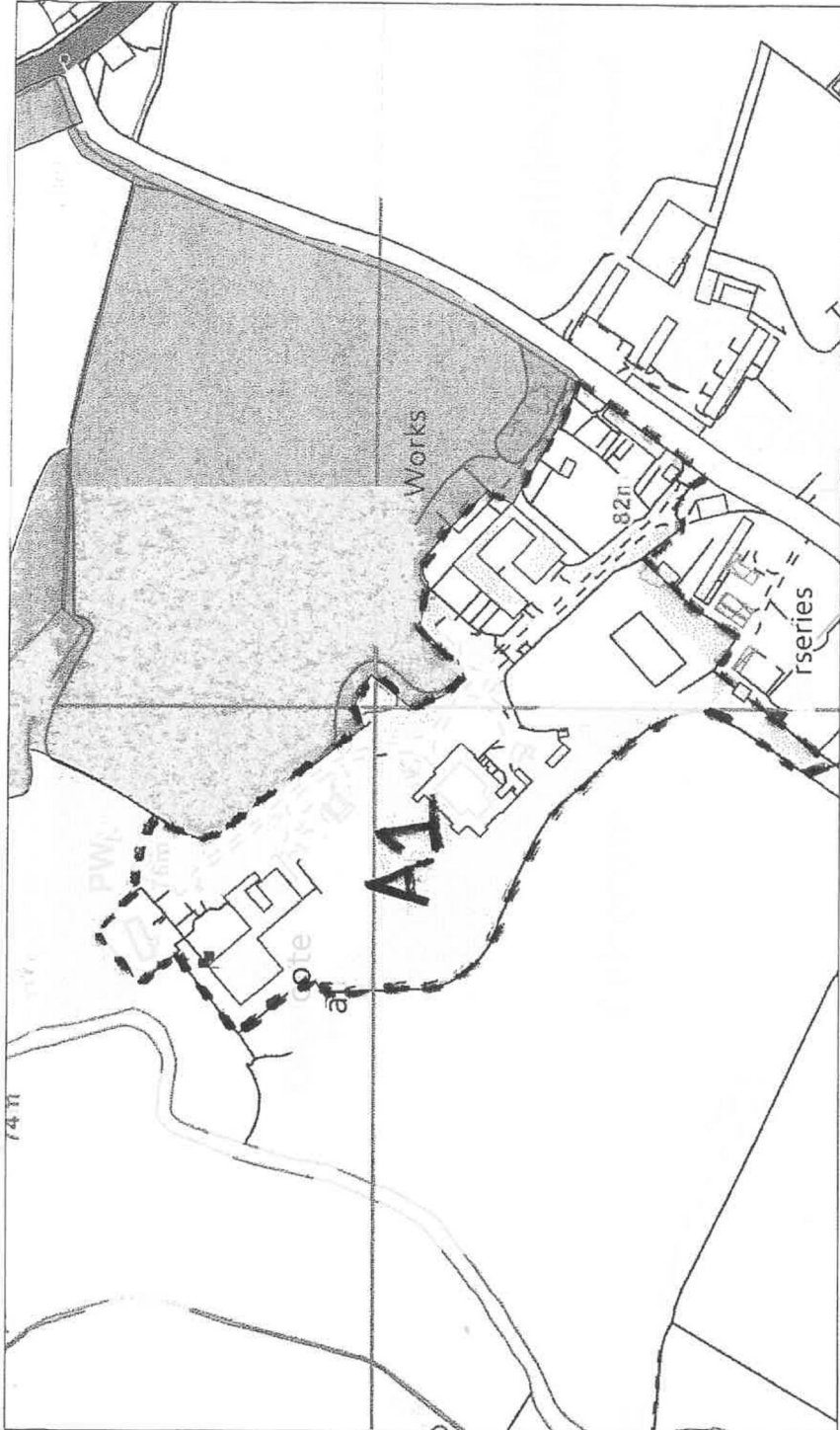
NONE

**Woodlands**

(within a continuous black line on the map)

Reference on map	Description	Situation
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NONE



Legend	
Symbol	Description

