

Planning Committee

6 March 2024



	Tree Preservation Order
TPO No.	TPO291/2023
Site Address	110 French Street, Sunbury-on-Thames, TW16 5LE
Date Served	20 October 2023
Expiry Date	20 April 2024
Case Officer	Alice Heynes
Ward	Sunbury East
Executive Summary	Confirmation of TPO291/2023
Recommended Decision	Confirm TPO without modification.

MAIN REPORT

1. Details of Order

- 1.1 On 20 October 2023, Tree Preservation Order (TPO) was served with immediate effect to protect one Yew tree on land at 110 French Street, Sunbury-on-Thames, TW16 5LE.

2. Background

- 2.1 110 French Street, Sunbury is located within the Lower Sunbury Conservation Area. The northern boundary of the site is adjacent to a Listed Grade II Building (The William and Mary House).
- 2.2 On 15th September 2023, the Council received a S211 notification to carry out works to trees in the Lower Sunbury Conservation Area (ref. no. 23/01167/TCA) to fell 2 x Holly trees, 2 x Lawson Cypress trees and 1 x Yew tree, all located in the rear garden of 110 French Street, Sunbury-on-Thames, TW16 5LE.

- 2.3 Following receipt of the notification, the Council's Tree Officer visited the site on 18th October 2023 to assess the trees subject to the application.
- 2.4 The Council's Tree Officer raised no objection to the felling of four (4) trees within the Conservation Area Notification (ref.no. 23/01167/TCA) - 2 x Holly trees and 2 x Lawson Cypress trees. The reason indicated was that the subject trees were poor specimens and in close location to the boundary wall. Therefore, these trees were not considered worthy of protection under a Tree Preservation Order.
- 2.5 However, the Tree Officer disagreed with the proposal that the Yew tree should be felled, as it was in good condition with no defects and no signs of disease or decay. It was considered that is a mature tree with a reasonable crown structure and is not causing any obvious signs of damage to the adjacent wall. Furthermore, the Yew tree was considered visible from French Street and the adjacent Beauclerc Infant and Nursery School which brings contribution to the street scene and the visual amenities.
- 2.6 Accordingly, a Tree Preservation Order was made and served on 20 October 2023 to protect the Yew tree because of its 'contribution to the visual amenities of the locality and the street scene'.

3. Third Party Representations

- 3.1 As required under the legislation all affected parties, including residents and adjoining neighbours were served with copies of the Tree Preservation Order. The Council received one letter of objection within the consultation period dated 29 November 2023.
- 3.2 The letter of objection raised the following concerns (listed below), and the Council's Tree Officer has provided comments to each one –

3.3 Size of tree

- *'The tree has not had any pruning or care (in recent years) As a result, it has grown to a considerable size and is now dominating the rear garden to a large extent.'*

The tree has been assessed by the Council's Tree Officer who has considered its current health, structure, and longevity in making the TPO.

The tree is only considered to dominate a small part of the garden, and this is no different to many properties within the Lower Sunbury Conservation Area, wherein trees contribute to the character and setting of the locality.

The removal of other trees within the garden (approved under the notification ref. no. 23/01167/TCA), was agreed on 26 October 2023. This would allow space and light for amenity recreation, whilst retaining this Yew tree that contributes to the Conservation Area.

This objection is not considered to outweigh the value of the tree within this environment.

3.4 **Potential toxicity and harm to children and pets**

- *'...we are also concerned in terms of potential toxicity and pollination allergens linked to this species of tree.'*
- *'The tree is located adjacent to the Beauclerc Infant and Nursery School and is overhanging the school boundary.'*

Many trees and plants have potential issues with toxicity and pollination allergens, these issues can usually be adequately controlled by active garden management, as is the case with this Yew tree.

The school has not raised concerns about Yew trees in the past and has several Yew trees growing within its grounds.

This objection is not considered to outweigh the value of the tree within the environment.

3.5 **Replacing the tree with a more ornamental species.**

- *'We would like to fell the Yew tree and replace it with a species which is smaller in size and more family and animal friendly.'*

The Yew tree has been assessed as being worthy of retention and contributing to the urban fabric, it also makes a contribution to the character and appearance of the Lower Sunbury Conservation Area.

A replacement tree would not have the same impact or make a similar contribution to the character and appearance of the area.

This representation is not considered to outweigh the value of the tree within the environment.

4. **Conclusion**

- 4.1 The Council's Tree Officer has assessed the Yew tree as being worthy of a Tree Preservation Order. The representations made are not considered to outweigh the value that the tree makes to the environment nor to the character and appearance of the Lower Sunbury Conservation Area.

5. **Recommendation**

- 5.1 That Tree Preservation Order 291/2023 relating to 110 French Street, Sunbury-on-Thames be confirmed without modification.