

Report of Head of Planning, Transportation and Regeneration
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED),
SECTIONS 198-201 AND 203

**TREE PRESERVATION ORDER NO. 791 (TPO 791):
CEDAR WITHIN THE FRONT GARDEN OF 7 SWAKELEYS DRIVE
ICKENHAM**



Photo 1: The subject Atlas Cedar within the front garden of 7 Swakeleys Drive

1.0 Summary

1.1 To consider whether or not to confirm TPO 791.

2.0 Recommendations

2.1 That TPO 791 is confirmed.

3.0 Information

3.1 The making of TPO 791 was authorised under delegated powers on 15th October 2021 following the receipt of a Section 211 Notice to remove the tree.

3.2 This Atlas Cedar holds a prominent position within the road and represents an attractive landscape feature that contributes to the amenity and arboreal character of the local area. The tree merits protection on amenity grounds.

3.3 The tree has a long-life expectancy and so will provide amenity for years to come.

4.0 The Objection

A formal objection (summarised verbatim below) to TPO 791 was received from the property owner (7 Swakeleys Drive) for the following reasons:

4.1 Tree constricts light coming into the front aspect of the property

4.2 Permission was previously granted for pruning works

4.3 Potential future damage to telephone cable

4.4 Unusual to put a Tree Preservation Order to a tree of estimated age 40-50 years

4.5 Large tree for the size of the garden

5.0 Observations on the objections to TPO 790

5.1 The Cedar is the only evergreen tree present within the front garden of the property. This tree does not constitute a High Hedge and as a result, there is no legal right to light.

5.2 A Section 211 Notice (property lies within Ickenham Village Conservation Area) to carry out tree pruning on the Cedar was received on 3rd March 2021 and approved by the Tree Department as the tree works applied for were minor and were aimed at clearing the overhead phone cable service. The complete removal of the Cedar is however deemed drastic. This is the purpose of creating a TPO, to stop unnecessary tree works/removals and safeguard trees for the benefit of the borough.

5.3 Should there be future issues with branches pulling onto overhead telephone cables, or any other issue involving the tree, the tree owners will be able to apply for consent to carry out works on this protected tree to mitigate any risks.

5.4 A Tree Preservation Order can be placed on any tree of any species and size, where these are considered of high amenity or nature conservation value.

5.5 The Cedar is a single tree present within the front garden of house 7, and holds enough space in every direction to develop a balanced crown; as a result it is not considered that the Cedar is too large for the front garden of this property. Furthermore, the tree presents an aesthetically attractive and prominent crown, which enriches the local landscape, characterised by a mature and diverse tree cover.

6.0 Other matters:

- 6.1 Ickenham Conservation Area Advisory Panel stated the creation of a TPO for the Cedar is consistent with the Panel's underlying preference and choice of longer-term outcome.
- 6.2 Map for TPO 791 was modified on 17th November 2021.

7.0 Conclusion

- 7.1 It is recommended that TPO 791 be confirmed.

The following background documents were used in the preparation of this report:

- Provisional Tree Preservation Order No. 791 (2021)
- Section 211 Notice Reference CA/2713
- Section 211 Notice Reference CA/2791