

Planning Committee

Tree Preservation Order (No. 10/2012 – 58c Mill Street, Kidlington)

3 January 2013

Report of Head of Public Protection and Development Management

PURPOSE OF REPORT

To seek the confirmation of an unopposed Tree Preservation Order (No 10/2012) relating to 1 No walnut tree (copy plan attached as Appendix 1) at 58c Mill Street, Kidlington.

This report is public

Recommendations

The Planning Committee is recommended to:

- (1) Confirm the Order without modification

Background Information

- 2.1 The Scheme of Reference and Delegation authorises the Head of Public Protection and Development Management to make Tree Preservation Orders under the provisions of the Town and Country Planning (Tree Preservation)(England) Regulations 2012, subject to there being reason to believe that the tree in question is exposed to an unacceptable level of threat due to a proposed residential development and that its retention is expedient in the interests of amenity. The power to confirm Tree Preservation Orders remains with the Planning Committee.
- 2.2 The above mentioned Tree Preservation Order was authorised and made on 9 August 2012. The statutory objection period has now expired and no objections were received to the Order.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 None.

Implications

Financial: The cost of processing the Order can be contained within existing estimates.

Comments checked by Kate Drinkwater, Service Accountant 01327 322188

Risk Management: The existence of a Tree Preservation Order does not remove the landowner's duty of care to ensure that such a tree is structurally sound and poses no danger to passers by and/or adjacent property. The TPO legislation does contain provisions relating to payment of compensation by the Local Planning Authority in certain circumstances, but these relate to refusal of applications to carry out works under the Order and no compensation is payable for loss or damage occurring before an application is made.

Comments checked by Ross Chambers, Solicitor – Planning and Litigation 01295 221687

Wards Affected

Kidlington South

Document Information

Appendix No	Title
Appendix 1	Plan
Background Papers	
NONE	
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