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<b>REPORT TO:</b>	<b>Area No 2 Development Control Committee</b>
<b>DATE:</b>	<b>12 April 2005</b>
<b>REPORTING OFFICER:</b>	Director of Development Services (Miss S Greaves - Planning Officer)
<b>SUBJECT:</b>	<b>Tree Preservation Order No 02/2005</b>
<b>WARDS AFFECTED:</b>	<b>Ouseburn</b>
<b>FORWARD PLAN REF:</b>	

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1.0 PURPOSE OF REPORT

1.1 To request the confirmation of a provisional Tree Preservation Order.

2.0 RECOMMENDATIONS

2.1 That (1) the Committee find it expedient in the interests of amenity to confirm the Tree Preservation Order at Stamford House, The Green, Green Hammerton.

2.2 (2) The Director of Administration be authorised to take appropriate action to secure confirmation.

2.3 (3) The order be confirmed as The Council of the Borough of Harrogate Tree Preservation Order No. 2/2005.

3.0 THE REPORT

3.1 An application was received to carry out tree works within a conservation area. The applicant wished to fell 1no Oak Tree on the grass verge at the front of Stamford House on the grounds that the tree would cause subsidence to the property some time in the future. The Council's Arborist advised that this is not a sound basis on which to fell trees. Whilst there is potential that subsidence may occur it is normally the result of a number of incidents taking place at the same time (e.g. low rain fall, extended dry periods, poor foundation construction, etc) and not solely due to the proximity of a tree(s). In this instance the Oak tree is not a large tree and its water uptake is unlikely to be at levels which would cause

structural damage. Guidelines produced by NHBC are just that, guidelines, and if they were used verbatim then no trees would be planted in urban areas. Stamford House is a grade II listed building.

**3.2** The Oak tree is located at the front of Stamford House on the village green, and is highly visible within the locality. It is a young tree which would form an important tree to the area if it is retained. The Oak tree is a small specimen which is well formed and balanced. It has excellent vigour and structure, and a life expectancy in excess of 100 years. The Oak tree is located at the southern end of the village green and contributes positively to the visual amenity of the area. There are a number of trees interspersed around the edge of the village green which all contribute to the character and appearance of the area.

**3.3** The applicant has indicated that he would be willing to plant new trees as replacement for the Oak tree, however though the tree is protected by virtue of being within the Green Hammerton conservation area this does not give the Council any powers to ensure replacement planting is carried out to maintain the amenity of the area.

**3.4** No letters of representation have been received.

**3.5** It is considered that the Oak tree has a high amenity value and makes a positive contribution to the character and appearance of the area.

**4.0 CONCLUSION**

The 1no Oak Tree, which is the subject of this order, is felt to be of considerable amenity value and an Order is considered appropriate to ensure its retention.

**Background Papers**

**OFFICER CONTACT:** Please contact Miss S Greaves, Planning Officer, if you require any further information on the contents of this report. The officer can be contacted at Department of Development Services by telephone on 01423 556568 or by e-mail: [stephanie.greaves@harrowgate.gov.uk](mailto:stephanie.greaves@harrowgate.gov.uk)

**SUSTAINABILITY ASSESSMENT/POLICY CONSIDERATIONS**

		Implications are		
		Positive	Neutral	Negative
A	Economy			
B	Environment			

C i) ii) iii)	Social Equity General Customer Care/People with Disabilities Health Implications			
D	Crime and Disorder Implications			

If all comments lie within the shaded areas, the proposal is sustainable.

**TREE PRESERVATION ORDER****TPO NO 6.103.1183.TCON 2/2005****Stamford House, The Green, Green Hammerton Harrogate District North Yorkshire****FIRST SCHEDULE****TREES SPECIFIED INDIVIDUALLY**

(encircled in black on the map)

Ref on Map	Description	Situation
T1	Oak	445876, 456917

**GROUPS OF TREES**

(within a broken black line on the map)

Ref on Map	Description (including number of trees)	Situation
None		

**WOODLANDS**

(within a continuous black line on the map)

Ref on Map	Description	Situation
None		

**TREES SPECIFIED BY REFERENCE TO AN AREA**

(within a dotted black line on the map)

Ref on Map	Description	Situation
None		



TPO No 2, 2005 STAMFORD HOUSE, THE GREEN, GREEN HAMMERTON.



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SCALE: 1:1000  
 DATE: 21st January 2005