

NOTES OF THE TREE AND HEDGE APPEAL GROUP – 2 JULY 2008**South Hams District Council (Parish of Stoke Gabriel) (No.20) Tree Preservation Order 2008 – Stoke Court, Stoke Gabriel**

Present: Cllr Fielden (Chairman)
Cllr Coulson
Cllr Date
Cllr Gilbert
Cllr Saltern

In attendance:

Mrs Gee (owner of Stoke Court)
Ross Kennerley (Landscape & Recreation Manager)

It was noted that the Tree Preservation Order was served on a single Cherry Tree at Stoke Court, Stoke Gabriel on 4 January 2008. The Order was served because:

- The tree was prominent in the landscape and was therefore important to the character and quality of the landscape amenities enjoyed by the public;
- The Council considered it expedient in the interest of maintaining this amenity that the trees should be protected by means of a Tree Preservation Order;
- The Council considered it expedient to serve a Tree Preservation Order in response to a Conservation Area Notice

An inspection of the tree was undertaken by Members of the Tree Appeal Group, in the presence of the Landscape & Recreation Manager and Mrs Gee (owner of the site and objector to the serving of the TPO).

The Appeal Group undertook an inspection of the site, viewing the Cherry tree from the garden of Stoke Court, Coombe Shute (the adjacent road running parallel the garden) and the adjacent public orchard. During this inspection the Landscape and Recreation Manager highlighted that whilst the tree was situated in a prominent locality, when viewed in the broader landscape context it was noted that the village was a well 'treed' village with significant number of trees in the Conservation Area. Members were informed that when undertaking the amenity assessment of the tree, the scoring was less than that which would normally trigger the serving and retention of a tree under a Tree Preservation Order. Therefore, the recommendation of the Officer was that on balance, the TPO was not confirmed. However, a concern in not confirming the TPO was that it could create a precedent in the area for land owners wishing to fell trees.

Following a query Mrs Gee confirmed that it was her intention to landscape the area if Members were minded not to support the TPO. Furthermore, Mrs Gee noted that she was hesitant to carry out pruning and maintenance works on the tree as Cherry trees were notorious for growing back vigorously.

It was then:

RESOLVED

That South Hams District Council (Parish of Stoke Gabriel) (No.20) Tree Preservation Order 2008 is not confirmed.