

# **Report of the Head of Economic Regeneration & Planning**

## **Area 2 Development Control Committee**

**16 December 2014**

**Confirmation of Tree Preservation Order No. P17.7.4.568,**

**Oystermouth Court Swansea.**

**To consider the confirmation, as a full Order, of the provisional Tree Preservation Order for Oystermouth Court Swansea.**

**Recommendation:**

**That the Tree Preservation Order for Oystermouth Court Swansea be confirmed**

**For Decision**

**1. Introduction**

1.1 The provisional Order was served on 01/05/2014.

**2. Objections and Representations**

2.1 An objection was received from the agent acting on behalf of the Oystermouth Court Management Company on the basis that their client feels that that the council wrongly took advantage of information provided by them following an enquiry seeking clarification of whether the trees in question were protected, as they wished to cut down the trees.

2.2 Secondly from a resident who cites a dispute with a neighbouring property that has recently been resolved and their desire to carry out a landscape scheme in the area. The objector goes on say that the trees in question were not planted by them and that she has "a lovely view of the Castle. My friends and neighbours on the right hand side have their view blocked by the trees."

**3 Appraisal**

3.1 The trees in question were probably planted to discharge a landscape condition at the time of construction within the grounds of Oystermouth Court (a block of flats). The trees are significant in the amenity that they provide, in large part in framing and softening the main elevation of the flats to the adjacent highway.

A great deal of the original tree and shrub planting that was planted at the time of the construction of the development has been removed. Confirmation of this order does not preclude additional planting or an application to do works to the trees in question.

- 3.2 With regard to objection 1 (par 2.1), the council was made aware of the threat to the trees by the enquiry by the agent. As the trees in question were of significant amenity value in a prominent location, clearly visible to the public and probably planted as part of the original 'landscaping' of the development and were directly threatened by the enquiry it was decided to protect the trees be protected by the serving of the Tree preservation Order.
- 3.3 With regard to objection 2 (para2.2) the trees in question were probably planted at the time of the construction of the flats as part of a landscape condition. As previously described a number of other trees and shrubs planted as part of that original condition have been removed. The fact that the objector clearly wants her friend and neighbours to enjoy the view that she does is further testimony to the threat to the removal of the trees. Confirmation of the tree preservation order does not preclude additional planting or 'landscaping' of the area in question; however it does give the local authority a measure of control over the management of the protected trees

It is considered therefore that the Order should be confirmed

#### **4. Recommendation**

It is recommended that the Tree Preservation Order for Oystermouth Court Swansea' P17.7.4.568 be confirmed without amendment.