

DECISION

**Report to planning committee**

**COMMITTEE:** Planning Committee

**TITLE:** Town & Country Planning Act 1990  
Town & Country Planning (Tree Protection)  
(England) Regulations 2012  
Tree Preservation Order No.1536 (2014)  
Land at Main Road Betley and New Road  
Wrinehill.

**SUBMITTED BY:** Head of Operations

**1 Purpose**

- 1.1 To advise members of the Planning Committee that the above order was made using delegated powers on 11<sup>th</sup> April 2014, and to seek approval for the Order to be confirmed as made.

**2 Background**

- 2.1 The Order protects trees situated along the road corridor of Main Road to the south of Betley and New Road through Wrinehill (A531). The Order was made to safeguard the longer term visual amenity that the trees provide after trees along the section of road south of the Betley Conservation Area were felled and inappropriately pruned.

**3 Issues**

- 3.1 The trees are mature, predominantly deciduous, mixed species and clearly visible from Main Road and New Road. They are key trees to the road corridor, are a significant feature to the locality and provide an important contribution to the area. Their loss would have a detrimental effect on the visual amenity, not only of the individual sites but also to the locality.
- 3.2 Arising from concern that several trees along this section of road had been felled in recent months and years a Ward Councillor requested that an assessment be carried out with a view to protecting important trees from future risk.
- 3.3 Your officers carried out a survey of the trees along the road corridor in March 2014 and made a TPO assessment. 20 individual trees and 5 groups of trees were found to be worthy of an Order. They are all considered to be in reasonable health, visually significant and an amenity to the locality, with the prospect of continuing to provide this for many years. The Order was made and served on 11<sup>th</sup> April 2014 in order to protect the long term well-being of the trees.

- 3.4 Two representations have been received.

The first is from the owner of Whinshiels, Main Road who is concerned that the birch tree on the property is 10 to 11 metres high, within 7m of the house and 1.2m of the main sewer. The root system is causing some lifting of the adjacent paving.

The second is from the owner of Daisy Cottage, Main Road, concerned that the cedar tree on the property requires regular pruning back from the pavement and to clear visibility when coming out of their drive, and requesting that the tree is excluded from the Order or that permission is given to keep it pruned on a regular basis.

Your officers consider that both of these trees can be managed in their locations and that applications can be made when work is required to manage them as necessary. If in the future problems do arise the necessary remedies can be actioned then.

- 3.5 Your officers are of the opinion that the longer-term visual amenity of the trees on the road corridor is best secured by the making of a Tree Preservation Order. Your officers are of the opinion that the trees are generally healthy at present and are of sufficient amenity value to merit the making of a Tree Preservation Order. They are considered to be appropriate species for the locality and provide public amenity value due to their form and visibility from public locations. The making of the Order will not prevent the owners from carrying out good management of the trees, and it will give the Council the opportunity to control the works and prevent unnecessary cutting down, lopping, topping, uprooting, wilful damage or wilful destruction. The owners will be able to apply for permission to carry out maintenance work to the trees and if in the future the trees do deteriorate in condition the owner will be able to apply for permission to carry out work which is necessary to safely manage them.

#### **4 Recommendation**

- 4.1 That Tree Preservation Order No 156 (2014), land at Main Road Betley and New Road Wrinehill, be confirmed as made and that the owners of the individual properties be informed accordingly.