

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.157 (2014)
Land adjacent to Rowley House, Moss
Lane, Madeley. CW3 9NQ.

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 9th April 2014, and to seek approval for the Order to be confirmed as made.

2 Background

- 2.1 The Order protects trees situated on land to the south of Rowley House, Moss Lane, Madeley and to the north of the neighbouring property, The Moss. The Order was made to safeguard the longer term visual amenity that the trees provide after trees were felled on the site in relation to a planning application which was received for the building of 42 dwellings on the site and the two fields to the west.

3 Issues

- 3.1 The trees are situated in the grounds to the south of Rowley House. They are three individual single stemmed deciduous trees located towards the western boundary of the plot. They are mature and clearly visible from Moss lane.
- 3.2 The trees 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 site but also to the locality. The planning proposal is for the access to the development to pass through the site and the trees will have a high amenity value in respect to this.
- 3.3 A planning application was received in January 2014 with a view to building 42 dwellings on the site. Trees shown to be retained as part of the development were felled in March 2014 giving rise to concern that more could be felled.

3.4 Your officers inspected all of the trees on the site in April 2014 and carried out a TPO assessment, and found three trees worthy of an Order. They are 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 9th April 2014 in order to protect the long term well-being of the trees. No representations were received.

3.5 Your officers are of the opinion that the longer-term visual amenity of the trees 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 owner from carrying out good management of the trees nor progressing plans to develop the site, 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 owner will be able to apply for permission to carry out maintenance work to the trees which is necessary to safely manage them.

4 Recommendation

4.1 That Tree Preservation Order No 157 (2014), land adjacent to Rowley House, Moss Lane, Madeley, be confirmed as made and that the owners of the site be informed accordingly.