

Confirmation of Tree Preservation Order

**LAND NORTH OF LWC DRINKS LTD
WEST AVENUE
KIDSGROVE**

Tree Preservation Order No 166 (2015)

Town & Country Planning Act 1990

Town & Country Planning (Tree Protection) (England) Regulations 2012

The Provisional Order protects 5 groups of trees and 1 woodland situated on land on the eastern side of Western Avenue, Kidsgrove, at its most southern end. The site is a vacant area lying at the north of the industrial unit currently occupied by LWC Drinks Ltd.

The Provisional Order was made to safeguard the longer term visual amenity that the trees provide.

The Order was made using delegated powers on the 25th of February 2015. Approval is sought for the Order to be confirmed as made.

The 6 month period for this Order expires on 26th August 2015

RECOMMENDATION

That Tree Preservation Order No 166 (2015), Land north of LWC Drinks Ltd, West Avenue Kidsgrove, be confirmed as made and that the owners of the site be informed accordingly.

Reasons for Recommendation

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 after an enquiry was made as to the status of the trees which gave rise to concern that they could be in danger of being felled to remove them as an obstacle to the development of the site. The site is currently for sale.

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.

Representations

No representations have been received.

Issues

The trees are deciduous and situated primarily towards the boundaries of the site. They are mature and clearly visible from West Avenue.

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 site is currently for sale and on 12th February 2015 a tree status enquiry was received by the council. This gave rise to concern that the trees could be unnecessarily felled to remove them as an obstacle to development. There has been a loss of trees in the area in recent years as a result of development.

Your officers inspected all of the trees on the site in February 2015 and carried out a TPO assessment, and found 5 groups of trees and one small woodland area on the site to be worthy of an Order. They are considered to be in reasonable health, visually important and an amenity to the locality, with the prospect of continuing to provide this for many years, and that they should be protected. The trees included are the more prominent and established mature trees growing on the site and younger less significant trees of less visual amenity have not been included. The Order was made and served on 25th February 2015 in order to protect the long term well-being of the trees.

The making of the Order will not prevent the owner from carrying out good management of the trees nor improving or developing 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.

Date report prepared

29 April 2015