

## **Confirmation of Tree Preservation Order**

### **LAND AT WREKIN, MUCKLESTONE WOOD LANE, LOGGERHEADS**

#### **Tree Preservation Order No.171 (2015)**

Town & Country Planning Act 1990

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

**The Order** protects trees situated on land to the north of Mucklestone Wood Lane, Loggerheads. The Order was made to safeguard the longer term visual amenity that the trees provide after issues relating to avoiding harm to trees with regard to the development of the site gave rise to concern that the trees may be felled to remove them as an obstacle to development.

The Order was made using delegated powers on 3<sup>rd</sup> July 2015. Approval is sought for the Order to be confirmed as made.

**The 6 month period for this Order expires on 3 January 2015**

#### **RECOMMENDATION**

That Tree Preservation Order No 171 (2015), land at Wrekin, Mucklestone Wood Lane, Loggerheads, 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. 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 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 and 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.

#### **Representations**

One representation was received from the owner of the land adjacent to Wrekin supporting the making of the TPO.

#### **Issues**

The trees are situated in the grounds of and on land adjacent to Wrekin, which lies on the northern side of Mucklestone Wood Lane. They are deciduous and consist of seven individual trees and a group of three trees located within the grounds of Wrekin and the field to the west, and an area of woodland located to the north and west of Wrekin. They are mature and early mature and clearly visible from Mucklestone Wood Lane. There is also a

large mature oak tree adjacent to Mucklestone Wood Lane that is included in TPO number 5 which was made in 1966. 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.

Recent planning applications received to develop the site for residential use, numbers 14/00828/OUT, 15/00404/OUT and 15/00671/OUT, lead to concern that important trees could be lost. Some trees had been removed to partially clear the site prior to the applications being made. The applications failed to adequately address issues necessary to prevent harm to the trees as a result of the proposals, giving rise to concern that trees could be felled to remove them as an obstacle to development. Application 14/00828/OUT was withdrawn, 15/00404/OUT was refused and is currently the subject of an appeal and 15/00671/OUT was refused.

Your officers inspected all of the trees on the site on 18<sup>th</sup> June 2015 and carried out a TPO assessment, and found the trees listed 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. Other trees on the site were not considered worthy. The Order was made and served on 3<sup>rd</sup> July 2015 in order to protect the long term well-being of the trees.

Date report prepared

13<sup>th</sup> November 2015