

## **Confirmation of Tree Preservation Order**

### **LAND AT WHITE OAKS, BIGNALL HILL**

#### **Tree Preservation Order No.173 (2015)**

Town & Country Planning Act 1990

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

**The Order** protects trees situated on land at White Oaks and land on the boundary of White Oaks and the site of the former Diglake Quarry (trees within the Diglake Quarry site are already protected by a Tree Preservation Order), off Bignall Hill. The Order was made to safeguard the longer term visual amenity that the trees provide following tree felling at the property which led to concern that further tree felling could be imminent.

The Order was made using delegated powers on 20<sup>th</sup> October 2015. Approval is sought for the Order to be confirmed as modified.

**The 6 month period for this Order expires on 20<sup>th</sup> April 2016**

### **RECOMMENDATION**

That Tree Preservation Order No 173 (2015), land at White Oaks, Bignall Hill be confirmed as modified and that the owners and occupiers of the site (White Oaks) and the 'persons interested' (Staffordshire County Council and the owners and occupiers of the adjacent Former Diglake Quarry 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 should they wish to develop the site.

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**

No representations were received following the publicity period.

Following the serving of the Tree Preservation Order upon interested parties, contact was made by the owner of the adjacent land, and a meeting was held to discuss some minor tree removal for works to make some mining shafts safe. A Tree Work Application followed this, however insufficient detail was contained, and the council is awaiting additional

information before this application can be validated. It is anticipated that these works will have no impact upon trees at White Oaks.

## **Issues**

Following reports that were received of recent tree felling your officers inspected the site on 19<sup>th</sup> October 2015 and carried out a TPO assessment.

Upon inspection of the site it was clear that a substantial mature Oak tree on the frontage of the site had been felled, it was also clear that other less recent felling of major trees had taken place at White Oaks.

During the site inspection it was noted that the position of the boundary between White Oaks and Diglake quarry site was unclear, and that visually important trees that define the edge of the woodland lie within a garden fence at White Oaks, this lead to concern that these trees may be felled.

These woodland edge trees are clearly visible on the Skyline when viewed from Bignall Hill, and given the extensive tree felling that had occurred on woodland beyond, their value as a backdrop feature is increased, and they now provide an additional screening role. These trees are also visible as woodland edge trees from the Wedgewood monument on the hillside to the North-East.

A single visually prominent Cedar tree on the south east corner of White Oaks meets the criteria for protection. Other trees positioned within white Oaks along the Bignall Hill frontage would not meet the criteria for protection through a Tree Preservation Order.

The inclusion of boundary trees within White Oaks within the Tree Preservation Order that affects the Diglake Quarry site was not considered as 'expedient' at the time that order was made, as the trees were not considered as under threat.

Government guidelines advise to local authorities concerning the use of 'Area' orders which has been used in this case. 'Area' orders are intended for short-term protection in an emergency situation and may not be capable of providing long term protection. This is because the Order will only protect those trees standing at the time it was made, so it may over time become difficult to be certain which trees are protected. It advises the use of this category as a temporary measure until such time when the trees can be fully assessed and subsequently re-classified.

This full assessment of these trees took place on Friday 5<sup>th</sup> February 2016.

The outcome of the assessment was that trees in A1 have been reclassified as GI (Group 1) containing the following trees:

- Two Pine trees (P1 and P2)
- Six Oak trees (O1 to O6)
- Three Cypress trees (C1 to C3)
- Four Birch trees (B1 to B4)

Other trees within A1 did not meet the criteria for protection by a Tree Preservation Order.

T1: Cedar will remain as the only individual tree protected by the order.

The trees that have been protected in the modified order 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.

Date report prepared

11<sup>th</sup> February 2016.