

## **Confirmation of Tree Preservation Order**

### **Trees at Selbourne, Pinewood Road, Ashley, Market Drayton.**

#### **Tree Preservation Order No 206 (2019)**

Town & Country Planning Act 1990

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

#### **The Provisional Order**

The Provisional Tree Preservation Order protects trees at land at Selbourne, Pinewood Road, Ashley, Market Drayton.

The Order was served using delegated powers on 28/10/2019. The consultation period ended on 25/11/2019.

Approval is sought for the order to be confirmed as varied.

**The 6 month period for this Order expires on 28<sup>th</sup> April 2020**

#### **RECOMMENDATION**

That Tree Preservation Order No 206 (2019), Trees at Selbourne, Pinewood Road, Ashley, Market Drayton be confirmed as varied and that the owners of the site be informed accordingly.

#### **Reasons for Recommendation**

##### **Background**

Mature trees on this site make an important contribution to the local landscape being clearly visible from Pinewood Road as individual Key trees, a mature visually prominent roadside group of trees and as backdrop trees to the newly developed properties; the trees are visible from nearby Public Footpath ref Loggerheads 17.

There was some concern about tree loss following recent planning applications that affect the site, and damage caused to trees and rooting areas of trees shown to be retained and protected throughout the construction period.

The loss of trees at Selbourne would have a detrimental effect on the visual amenity, not only of the site but also to the locality.

In order to safeguard the long-term well-being of these trees, a Tree Preservation Order should protect them.

##### **Representations**

Following the consultation period, one representation supporting the Tree Preservation Order was made by one of the owners of the land affected by the order.

## **Issues**

Since the serving of the tree preservation order an application to install a driveway has been refused (ref 19/00539/TWA) the reason for refusal being that *'the proposed development would have an adverse impact on the health of visually significant Pine trees that contribute considerably to the character and appearance of the area'*.

Following communications with the applicant/owner additional information has been provided concerning the reasons for the refusal. The present situation is that the applicant's agent is trying to establish if there is a way to adjust the proposed driveway so that it can be installed in accordance with current regulations.

A separate Tree Work Application ref 19/00970/TWA was submitted requesting the removal of 3 Scots Pine trees to improve the existing entry/exit of the driveway off Pinewood Road. This application was refused on 28<sup>th</sup> January 2020, as no information was submitted to demonstrate that the entry and exit to the site are insufficient, or that the proposals for access provided in recent planning applications that affect the property are not appropriate.

Following a site visit T1 (Beech) was found to have an area of basal decay and as such would not meet the criteria for protection through a Tree Preservation Order. The order will be varied, and the Beech tree to be removed from the order will be identified as being crossed out and initialled on the confirmed order and plan.

The placing of the new TPO will not prevent future development on the site nor tree management; however, it will allow the Borough Council the opportunity to prevent any unwarranted tree loss or pruning that is not in accordance with good arboricultural practice.

In order to protect the long-term wellbeing of the trees on this site, they should be protected by a confirmed (as varied) Tree Preservation Order.

## **Date report prepared**

3<sup>rd</sup> March 2020