

**TELFORD & WREKIN COUNCIL**

**PLANNING COMMITTEE – 16 DECEMBER 2015**

**TREE PRESERVATION ORDER 2015**

**REPORT OF THE ASSISTANT DIRECTOR: LAW, DEMOCRACY AND PEOPLE SERVICES**

**1.0 PURPOSE**

- 1.1 To inform Members of the making of a provisional Tree Preservation Order (TPO) and to seek its confirmation.

**2.0 RECOMMENDATIONS**

**It is recommended that Members resolve to confirm the following Order without modification:-**

**Borough of Telford & Wrekin (Ash Tree within the boundary of 4 and 5 Stockton Close, Stirchley, Telford, TF3 1RR) Tree Preservation Order 2015**

**3.0 SUMMARY**

- 3.1 On 22 April 2015 a provisional Tree Preservation Order was made in respect of one ash tree (identified as **T1** on the appended map – **Appendix 1**) on the boundary of numbers 4 and 5 Stockton Close, Stirchley, Telford, TF3 1RR.
- 3.2 On 23 April 2015 an objection to the TPO was received from the owner of 4 Stockton Close.
- 3.3 The Council sought clarification with regard to the nature of the objection but that clarification was not forthcoming and it was not possible to confirm the Order before it expired.
- 3.4. A new Order was made on 21 October 2015.
- 2.5 On 21 October 2015, the owner of 4 Stockton Close confirmed that his original objection remained.

**4.0 PREVIOUS MINUTES**

- 4.1 None.

## **5.0 INFORMATION**

### **5.1 Details of Objection**

A copy of the letter from the owner of 4 Stockton Close which sets out two reasons for objecting is attached to this report as **Appendix 2**

### **5.2 Response of Arboricultural Officer**

The Arboricultural Officer replied by indicating that

1. Deadwood could be removed from the tree without permission being required from the Council.
2. He agreed that the tree would benefit from a crown thinning operation and recommended a 20% thin as appropriate. An application form and information on TPOs was provided.

The Arboricultural Officer is still of the opinion that the Tree Preservation Order should be made as the making of the order does not prevent the owner removing deadwood or carrying out crown thinning subject to obtaining the necessary consent.

## **6.0 EQUALITY & DIVERSITY**

6.1 Not applicable.

## **7.0 ENVIRONMENTAL IMPACT**

7.1 The amenity value of the trees outweighs any reasons given for their removal.

## **8.0 LEGAL COMMENT**

8.1 A Tree Preservation Order is made under the powers conferred on the Borough of Telford & Wrekin by Sections 198, 201 and 203 of the Town and Country Planning Act 1990. A Local Planning Authority may preserve trees or woodlands if it thinks it is expedient in the interests of amenity to do so.

8.2 The Tree Preservation Order does not preclude necessary lopping or pruning. However, it would be necessary for the Council to consent before any such work was undertaken.

8.3 Should an application be received for consent to fell any protected tree(s), conditions could be imposed to secure the replanting of suitable replacement trees.

8.4 Before confirming an Order the Council must first consider any objections which have not been withdrawn.

8.5 Should an application be received for consent to fell any protected tree(s), conditions could be imposed to secure the replanting of suitable replacement trees.

## **9.0 LINKS WITH CORPORATE PRIORITIES**

9.1 The making of Tree Preservation Orders is an important element in the Council's priority of ensuring a sustainable environment.

## **10.0 FINANCIAL IMPLICATIONS**

10.1 There are no financial implications for the Council.

## **11.0 WARD IMPLICATIONS**

Brookside

## **12.0 BACKGROUND PAPERS**

12.1 Borough of Telford & Wrekin (Ash Tree within the boundary of 4 and 5 Stockton Close, Stirchley, Telford, TF3 1RR) Tree Preservation Order 2015

**For further information, please contact Eileen Griffin – (Solicitor) on 01952 383255 or [eileen.griffin@telford.gov.uk](mailto:eileen.griffin@telford.gov.uk)**