

Tree Preservation Order 151 with objection received

Type: Tree Preservation Order

Reference: *TPO 151* - Tir rhwng Swallowdale ac Oakhill Drive, Llanusyllt / Land between Swallowdale and Oakhill Drive, Saundersfoot

TPO implemented: 18th January 2023

Description:

- Tree 1 - Oak
- Group 1 – 2 no. Oak

The Authority has made the order because the trees contribute to the character of the area and provide visual amenity.

Tree Preservation Order History:

- Planning application NP/22/0568/FUL was received by this authority, in which there were concerns that the proposal would be detrimental to the trees in question.
- A site visit was duly carried out with the PCNPA head of planning, the case officer and the tree and landscape Officer.
- The tree and landscape officer carried out an assessment of the trees in regard to a potential Tree Preservation Order using the TEMPO methodology.
- The trees were assessed as being worthy of protection, and TPO 151 was provisionally implemented.

Consultee response:

- Saundersfoot Community Council – Consulted

Public response:

- 1 objection received.

Key points of Objection to TPO

The main issues raised in the letters of objection are:

1. The trees are not visible.
2. Trees have little importance.
3. Affecting properties and structures
4. TPO not required.

Comments on objections raised:

In respect of Issue (1) Trees are not visible.

- The objection refers to the trees being located in cul-de-sacs in a substantially developed site and are small trees not visible outside of the cul-de-sacs.
- The officer agrees with these observations; however, the cul-de-sacs still represent public areas, and therefore the trees do provide public amenity to these public areas.
- The TPO legislation advises that LPAs should be able to show that a reasonable degree of public benefit would accrue before TPOs are made or confirmed. The trees, or at least part of them, should therefore normally be visible from a public

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place, such as a road or footpath, although, exceptionally, the inclusion of other trees may be justified. As such the trees do provide a degree of public benefit to the immediate areas.

In respect of Issue (2) Trees have little importance.

- The objection letter states that “*They are three trees in a substantially developed area and there are little or no others in the nearby vicinity*”.
- The officer also agrees with this point; however, it is for this reason that the trees do warrant inclusion within a TPO.
- TPO legislation advises that the value of trees may be enhanced by their scarcity, and the trees are noticeable as being the only trees in immediate area, which has been substantially developed resulting in little or no established trees remaining.

In respect of Issue (3) Affecting properties and structures.

- The objection refers to the trees having an affect on the adjacent structures from damaging fences to branches being in contact with properties causing damage to adjacent roof.
- The Tree Preservation Order placed upon the tree will not prevent the management of the tree in terms of health and safety and good arboricultural practice; however, it will ensure that the tree will retain the amenity value and continue to enhance the character of the area by ensuring that the works are not detrimental to the health and character of the tree.
- Where damage (legal nuisance) is considered an issue; it is advised that legal advice is obtained. This matter would not be a planning consideration; other than to consider mitigating works under a TPO application, should it be required.

In respect of Issue (4): TPO not required.

- The objection notes that a TPO is not needed as the trees have been on site for many years, are in good health and have survived all of the buildings built around them.
- The officer also agrees with these observations; however, it is for these reasons that a TPO has been implemented.
- The trees are in good health and are the last remnants of the original tree scape that existed prior to the estate being built.
- The retention and protection of these trees will continue to provide character to the area.

Policies

The following National guidance is relevant to the consideration of the proposal:

- *Planning Policy Wales, Edition 11 (2021) (PPW)*
- *Future Wales: The National Plan 2040*
- *Town and Country Planning Act 1990*
- *Town and Country Planning (Trees) Regulations 1999*
- *Town and Country Planning (Trees) (Amendment) (Wales) Regulations 2012*
- *Town and Country Planning (Trees) (Amendment) (Wales) Regulations 2017*

Recommendation:

Although the visual aesthetics of a tree is subjective, the objective guidelines for

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implementing a Tree Preservation Order are all sufficiently met by the trees in question, taking into account the following criteria:

- Visibility
- Individual impact
- Wider impact

These points are discussed below.

T1 – Oak

Overview

T1 is a small Oak with an open form growing on the boundary of two properties. The tree has some pruning wounds present; however, these will not have a detrimental impact to longevity and form. Ivy is also present; however, this can also be removed. The tree is a small specimen with the potential to reach maturity, the Arboricultural Association notes a life expectancy of Oak to be 200-300 years and it reasonable to expect the tree to continue to provide amenity for the next 40 years, taking good management and maintenance into consideration.

Although the tree is a small specimen it can be viewed from Swallowdale and glimpsed between adjacent buildings from Oak hill.

Visibility

- The tree is located in a rear garden along the boundary of two properties (6 Oakhill Drive and 30 Swallow Dale). The tree can be viewed above and between properties in both roads.
- It is visible in an approximate 90° visual arc from public rights of way.

Individual impact

- The tree is a medium specimen that is likely to continue to establish to provide amenity value for the foreseeable future.

Wider impact

- Oak is native to Pembrokeshire; and is noticeable as being one of the few established urban trees in the housing estate area to the north of Green wedge GW67.
- It is not considered to be impeding the potential of other trees as there are no other significant specimens in proximity in which it may be impeding.
- Approved good arboricultural pruning works carried out to the tree as necessary will ensure retention without compromising the form and amenity value.

Group 1 - 2 no Oak

Overview

The group comprises two trees with tree A showing previous works including topped in the past with regrowth of approx. 2m present around outer crown. Pruning wounds are also present on the main stem where the crown has been raised. Tree B has less signs of management visible within the crown. Both trees are growing cohesively resulting in a combined canopy.

The tree is a small specimen with the potential to reach maturity, the Arboricultural Association notes a life expectancy of Oak to be 200-300 years and it reasonable to expect the trees to continue to provide amenity for the next 40 years, taking good management and maintenance into consideration.

The trees are visible from various vantage points within the surrounding public areas through and above the adjacent buildings.

Visibility

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- The group is located in along the boundary of three properties (22 Swallow Dale, 30 Swallow Dale and 11 Ferndale). The group can be viewed above, and between properties in all both roads.
- It is visible between structures in an approximate 180° visual arc from public rights of way.

Individual impact

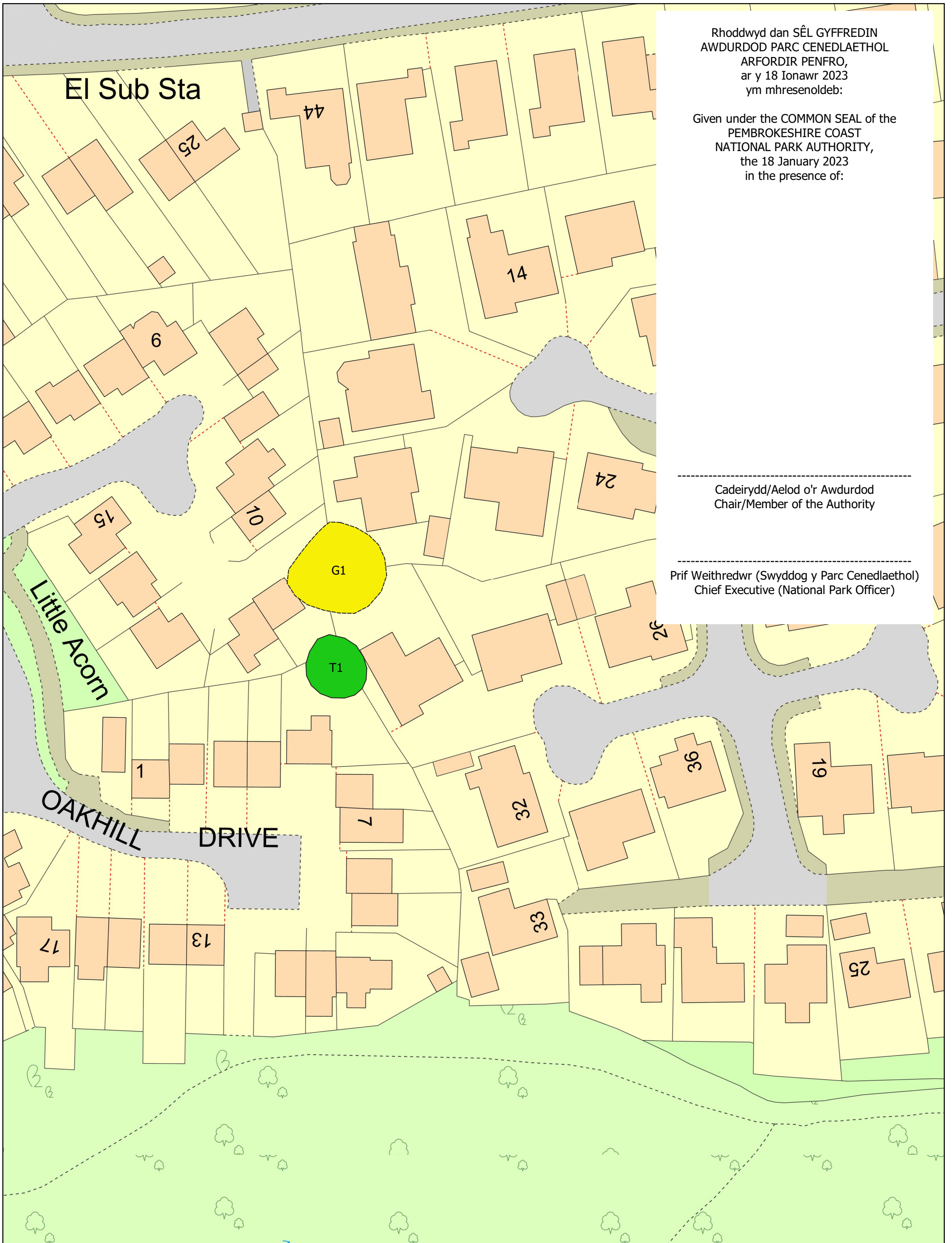
- The trees are medium sized specimens that are likely to continue to establish to provide amenity value for the foreseeable future.

Wider impact

- Oak is native to Pembrokeshire; and the trees are noticeable as being some of only a few established urban trees in the housing estate area to the north of Green wedge GW67.
- The group is not considered to be impeding the potential of other trees as there are no other significant specimens in proximity in which it may be impeding.
- Approved good arboricultural pruning works carried out will ensure retention of the group without compromising their form and amenity value.

Recommendation:

- **That Tree Preservation Order 151 be confirmed.**



Rhoddyd dan SÊL GYFFREDIN
 AWDURDOD PARC CENEDLAETHOL
 ARFORDIR PENFRO,
 ar y 18 Ionawr 2023
 ym mhresenoldeb:

Given under the COMMON SEAL of the
 PEMBROKESHIRE COAST
 NATIONAL PARK AUTHORITY,
 the 18 January 2023
 in the presence of:

 Cadeirydd/Aelod o'r Awdurdod
 Chair/Member of the Authority

 Prif Weithredwr (Swyddog y Parc Cenedlaethol)
 Chief Executive (National Park Officer)

TPO 151

Tir rhwng Swallowdale ac Oakhill Drive, Llanusyllt / Land between Swallowdale and Oakhill Drive, Saundersfoot

Graddfa / Scale: 1:500

