

REPORT OF DEVELOPMENT MANAGEMENT TEAM LEADER

SUBJECT: TREE PRESERVATION ORDER 133 WITH OBJECTION RECEIVED

Type: Tree Preservation Order (TPO)

Reference: TPO 133 – West of Middlekilns Road, Herbrandston

TPO implemented: 27th July 2017

Description:

G1 – 19 x Elm trees comprising: 16 x single-stemmed and 3 x multi-stemmed

W1 – Woodland Copse – comprising predominantly: Ash, Willow, Hawthorn and Sycamore

- The group and woodland is a visual feature in the immediate landscape and a component of the greater landscape of Sandy Haven Pill.

Tree Preservation Order History:

- An external request was received by this Authority that a TPO be placed upon the woodland following works in the immediate area and a possible threat to the woodland.
- A site visit by the Authority also identified a linear group of Elm trees along the roadside that were deemed to be worthy of protection and a contiguous landscape feature to the woodland.

Consultee response:

Herbrandston Community Council – No response at time of writing report

Public response:

1 x Letter - Objecting to W1 and supporting G1

The main issues raised are in objection to W1, the Woodland Copse, and are summarised as follows:

1. Trees are self-seeded unkempt and overgrown
2. Ruins within the woodland (W1) are under the process of assessment for listing by Cadw
3. Trees are causing a nuisance to the ruins located within the woodland (W1) which comprise a 'fisherman's cottage' and a limekiln

Guidance & Policy:

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

- Planning Policy Wales Edition 9 – Chapter 5 (paras. 5.2.9 and 5.2.10)
 - Technical Advice Note 10 – Tree Preservation Orders (1997) read in conjunction with:
 - Town and Country Planning Act 1990
 - Town and Country Planning (Trees) Regulations 1999
 - Town and Country Planning (Trees) (Amendment) (Wales) Regulations 2012
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Objection appraisal:

There have been no objections received in regards to G1 and as such the appraisal will relate solely to the objections raised relating to Woodland W1.

Objection 1 – Trees are self-seeded unkempt and overgrown

- The implementation of a TPO does not prevent management of trees for health and safety; it merely ensures that the works are clearly identified and implemented in accordance with good arboricultural practice.
- It is not deemed expedient to make a TPO in respect of trees which are under good arboricultural or silvicultural management
- As stated in the objection the trees are self-seeded, unkempt and overgrown; which suggests that it is expedient to place a TPO on the trees to ensure that the trees within the woodland are managed to maintain the amenity of the site.

Objection 2 - Ruins within the woodland (W1) are under the process of assessment for listing by Cadw

- It is understood from the landowner that the ‘fisherman’s cottage’ and limekiln located within the woodland are currently under review by Cadw to ascertain whether they are worthy of listed building status.
- This Authority has not received any information from Cadw at this time relating to the buildings and trees, and as such this would not be a material consideration at this time.

Objection 3 - Trees are causing a nuisance to the ruins located within the woodland (W1) which comprise a fisherman’s cottage and a lime kiln

- If the buildings are subsequently listed by Cadw; and information is provided by Cadw identifying trees in proximity to the structures that are a risk to the fabric of the buildings, then the landowner can apply for these trees to be removed under a TPO application.
- It is likely that works to trees in order to protect buildings listed by Cadw would be recommended for approval; however this does not prevent the trees being protected at this time, as the buildings are not listed and previous works appear to have been carried out prior to the TPO to alleviate immediate issues.

Amenity Assessment:

- It is this officer’s opinion that the woodland (and group) can be protected as they meet the criteria for inclusion of a TPO.
- Although the visual aesthetics of a tree, group or woodland is subjective, the objective guidelines for implementing a Tree Preservation Order are all sufficiently met by the woodland (and group) based upon the following points:

Visibility:

- The woodland (and group G1) is adjacent to a road (Middlekilns road) and a current area used for parking by local residents.

Individual impact:

- The woodland (and group G1) is important as it is located next to one of the few roads that has vehicular access to Sandy Haven Pill and provides an amenity feature when approaching.
- It is suitable to the setting as it is woodland (and group G1) comprising predominately native species and species found throughout the area, which are typical to the landscape of Pembrokeshire.
- The woodland (and group G1) appears to be self-set and is therefore suited to the location

Wider impact:

- The woodland contributes to a greater landscape feature along Sandy Haven Pill; comprising interspersed woodland strips that run along the edge of the pill, that provide a distinct visual landscape.

Recommendation:

That Tree Preservation Order 133 be confirmed

Image 1 - TPO 133 – ‘Fisherman’s Cottage’

- *Previous tree clearance has been carried out to alleviate immediate issues*
- *Photo provided by landowner - Zara Szpyt*

