

Tree Preservation no: 488 (2011)

Site: Wray Primary School Field, Wray with Botton, Wray

Reason: Important amenity value, under threat

Appeals Committee (TPO)

This report has been produced by Maxine Knagg (BSc Hons Arboriculture), Tree Protection Officer, on behalf of Lancaster City Council.

Introduction

The trees in question are established to the north-eastern corner of the school field which lies within Wray with Botton Conservation Area. As such, all trees with a trunk diameter of 75mm or greater when measured at 1.3m above ground level are protected in law. Under Section 211 of the Town & Country Planning Act 1990 the local planning authority must be notified in writing and given a period of 6 weeks notice prior to undertaking intended works to trees growing within a conservation order.

The primary use of the land is as a recreational facility for the school; it is also accessed from a number of points by members of the public.

Conservation Area – 211 Notification

Lancaster City Council received a Section 211 notice detailing intentions to fell x2 sycamore trees from within the school field, reasons for removal were not cited (appendix 1) at that time. However, reasons of encroachment and shading were subsequently identified.

Lancaster City Council's Tree Policy (2010) does not support the removal of healthy trees for reasons such as shading to gardens, leaf or fruit litter or to re-instate lost views or establish new views.

Following an assessment Lancaster City Council identified trees with important amenity value.

Four trees were assessed; two sycamore and two oak trees. Their amenity value was assessed using an objective and systematic approach (Tree Evaluation Method for Preservation Orders - *TEMPO* system). A score of 15+ was achieved supporting the action of serving a Tree Preservation Order (appendix 2). Original report amended (17th June 2011) for clarity (appendix 3).

Trees within the site are clearly visible from within the boundary of the school field, from a number of dwellings that look onto the field and also from the public highway to the east; here trees can be glimpsed between dwellings and over rooftops where they can be viewed as skyline features.

Three of the trees assessed were found to be in good overall condition, free from significant pests or disease and as such they have the potential to live beyond 100+ years with appropriate care and management.

A fourth tree, a sycamore was excluded from the tree preservation order, as a result of a large wound to the main stem rendering it unsuitable. This tree has since been removed by Lancashire County Council reducing the issues of encroachment and shading in relation to the appellants' properties.

Trees subject of the appeal provide the following:

- visible landscape features
- greening and partial screening between the use of the field and private dwellings nearby
- provide important shading for groups that use the school field
- seen from a public vantage point
- contribute to the character of the area
- important wildlife resource

Lancaster City Council considers it expedient in the interests of amenity to make provision for the preservation of the trees in question under sections 198, 201 and 203 of the Town & Country Planning Act 1990 (appendix 4).

Lancaster City Council cited the following reasons.

Trees:

- important visual amenity
- provide greening, screening and shade
- important wildlife resource
- under threat from removal

The trees are important features within their locality; they have sufficient amenity value and importance within the landscape to justify their protection with TPO no.488 (2011). It should be noted that, a tree preservation order does not prevent works from being undertaken that are appropriate and reasonable and in the interest of good arboriculture practice.

Objection to TPO no. 488(2011)

Lancaster City Council received a formal written objection to the order affecting trees T1-T3 (appendix 5). Lancaster City Council has also received a letter supporting the retention and protection of the trees in question (appendix 6). Correspondence between Lancaster City Council and the appellant can be found at (appendices 6a, & 6b).

Following receipt of the objection a site meeting was arranged, attendees included the appellants Ms Garnet and Mr Ingram, Richard Wood (Lancashire County Council), Gavin Charlesworth (tree surgeon) and Maxine Knagg (Lancaster City Council). It was clarified that the sycamore with damage to the main stem was not subject to Tree Preservation Order no.488 (2011) and as such could be removed; tree works to a single oak tree and sycamore tree were discussed.

A 211 Notice was subsequently submitted by Richard Wood on behalf of the appellants (appendix 7). Works were agreed to include a crown reduction of a single sycamore, not exceeding 25% and selective branch removal affecting a single oak tree (appendix 8 & 9).

It remains the view of Lancaster City Council that the trees identified as T1-T3 have sufficient amenity value to warrant serving and protecting with TPO no.488 (2011).

Maxine Knagg BSc (Hons) Arboriculture
 Tree Protection Officer, Development Management
 Lancaster City Council

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