



Caton-with-Littledale Parish Council

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Lancaster City Council
Development Management
PO Box 4
Town Hall
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Dear Sirs,

Tree Preservation Order 504(2012) Trees located on the Southern Bank of the River Lune, North of Holme Lane, Brookhouse.

As Trustees of the Poor's Land Charity we wish to place on record our objection to this TPO.

The Trustees own and manage this small parcel of land on the south bank of the river Lune and were surprised and annoyed to learn that a TPO had been served without prior discussion with themselves.

The Charity derives its income from the letting of both the land for grazing and the fishing rights on the river and takes its responsibility of managing these assets seriously.

The trees in question were planted a number of years ago with the specific aim to help stabilize the river bank from continued erosion. They form a linear feature along this short stretch of river bank in isolation to the rest of the river frontage and could be considered an anomalous feature in the landscape when compared to the treeless remainder of the riverbank in this area.

The Trustees are very much against the imposition of a TPO on these trees as they wish to retain the freedom to manage the trees as required to maintain the banking without recourse to seeking permissions each and every time.

The Trustees feel that these trees do not warrant the imposition of a TPO and have considered your TEMPO scoring assessment in detail and would make the following comments and observations.

Part 1 Amenity Assessment

a) Condition & Suitability for TPO

We would consider that the trees are in a poor condition as they require a degree of cutting back to remove dead wood and a couple of trees (as noted in your Assessment) and thus encourage a healthy root system, particularly for the Willows. We would consider a score of 1 to be more appropriate.

b) Remaining longevity

The trees are mature specimens and have been there in excess of 20 years already. We consider their future lifespan to be a maximum of 40 more years and would therefore score this at 2.

c) Relative Public visibility

Although the trees are visible from the adjacent footpath and from Caton Green Road, they are but a minor feature on the landscape when seen against the densely wooded hillside behind them. We consider that in a worst case scenario if they were to be felled then their loss would not have a detrimental effect on the overall landscape in this area and we consider a score of 2 to be more appropriate.

At this juncture we have scored these trees at 5 which means that the remainder of the TEMPO scoring is irrelevant.

However we would make the following comments on the remaining headings

d) Other Features.

We agree with your scoring of 1. The trees have none of the above redeeming features and this has been reflected in our scoring of the previous categories.

Part 2 Expediency Assessment.

We are unsure where 'the local concern that the trees may be removed' has come from. The Trustees have no intention of removing any healthy trees. We had suggested that the trees may need to be thinned or coppiced to improve their health, root structure and lifespan and open up the banking to allow access to the river for fishermen. If there needs to be a score here then a precautionary 1 could be scored.

Our scoring of the TEMPO was 5 which demonstrates that a TPO is indefensible.

However if we were to be generous and allow sections a)-c) a score of 7 and add an extra 2 points then we would have only reached a score of 9. This falls into the area where a TPO is unmerited.

It is on this basis that we as Trustees feel that the imposition of a TPO is a completely over the top reaction to a request from an unidentified party to a perceived threat which has no basis in actuality. If one was to take the view that this TPO is justified then there should be a TPO on every stand of trees throughout the District.

The income of the Poor's Land Charity is derived from letting the grazing and fishing rights and it is the Trustees duty to maximise this income. We are in the process of planning improvements to the access to the river for fishermen prior to offering a new lease on the open market rather than continuing the previous arrangements with Lancaster and District Angling Association.

The Trustees are of the opinion that if this TPO is confirmed and it compromises the ability of the Trustees to realise the full potential of the site then they will be forced to seek compensation from the Council.

On the basis of the above the Trustees object strongly to the imposition of this TPO in the first instance and request that the City Council do not confirm this TPO. To this effect the Trustees request that this matter be considered by the full Planning Committee rather than as a delegated matter by an officer of the Council.

Yours sincerely,

A large black rectangular redaction box covers the signature of the Clerk to the Trustees and Parish Council.

Clerk to the Trustees and Parish Council.