

TREE PRESERVATION ORDER REPORT



Application Number	TPO 506	Item	04
Date Valid		Ward	Plympton St Mary

Site Address	Former China Clay Marsh Mills Works, Coypool		
Proposal	To protect an area of woodland around the former Marsh Mills China Clay Works, Coypool through a Tree Preservation Order (TPO)		
Applicant	N/A		
Application Type	N/A		
Target Date	31/01/016	Committee Date	Planning Committee 14 th January 2016
Decision Category	TPO Objection		
Case Officer	Jane Turner		
Recommendation	To confirm TPO 506 with modification to order map.		

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I. Description of site

- 1.1 Under delegated authority, on 31st July 2015, Tree Preservation Order No. 506 was made to protect an area of deciduous and evergreen woodland around the former Marsh Mills China Clay Works, Coypool, plus a group of trees on land near the entrance to the site. The order has been made following the receipt of a pre-application enquiry. The Local Planning Authority (LPA) has a duty to make orders where trees may be under threat. A site visit to assess the suitability of the tree for a Tree Preservation Order was carried out and the usual assessment criteria applied.
- 1.2 The woodland (W1 on plan) is visible from several locations in the local area and is a significant feature of the landscape when viewed from the other side of the valley, effectively screening an industrial site.
- 1.3 The group of trees (G1 on plan) at the entrance to the site is of high amenity value to the adjacent residential properties and form a feature at the entrance to the site. It was therefore considered expedient in the interest of public amenity that a Tree Preservation Order was made. An objection to the Order was received from one of the owners of part of the site which has not been resolved. In accordance with the Council's delegation procedures the objection is being reported to Planning Committee.

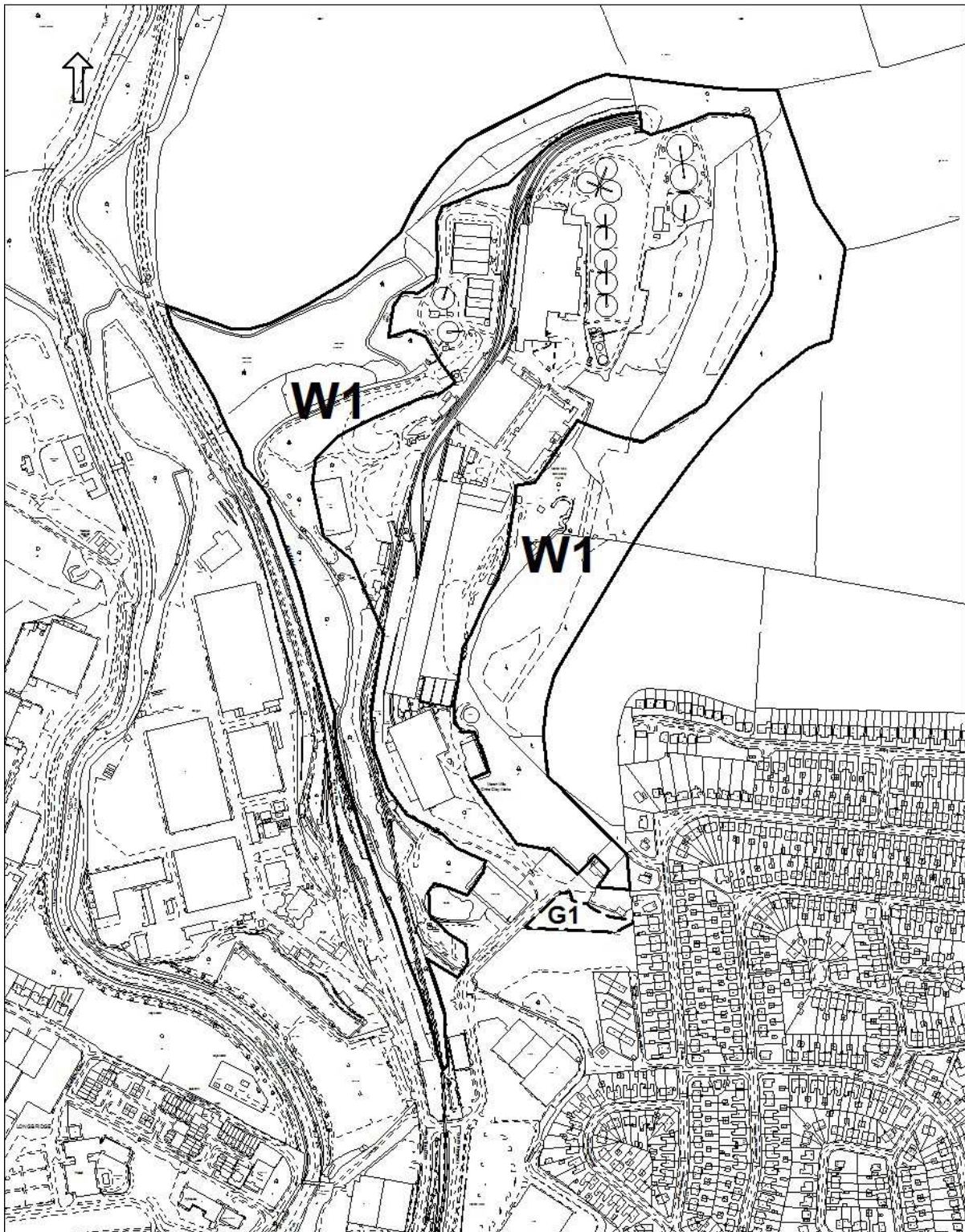


Aerial image of former China Clay Marsh Mills Works, Coypool



TPO 506 viewed from inside the site





**City of Plymouth Tree Preservation Order No.506
Former China Clay Marsh Mills Works, Coypool**

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Published 2015

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Tree Preservation Order No. 506: Order Map - showing location of woodland (W1) and group (G1).

2. Proposal description

A Tree Preservation Order was made by the LPA in response to a development enquiry to develop the land. It was considered important to ensure the woodland surrounding the site was protected due to its prominence in the local landscape of this part of Plympton. An objection was received from one of the owners of the land concerned about the extent of the woodland designation and other matters. It is considered that one of the reasons for objection is valid where the woodland has been affected by the restoration works taking place on the site and that the order map should be modified to reflect this. It is recommended that the Order therefore is confirmed with modification to the boundary of WI.

3. Pre-application enquiry

N/A

4. Relevant correspondence

Tree Preservation Order No. 506

Letters of objection:

27/08/15 Aspect Tree consultancy on behalf of Concise Construction

Council Correspondence:

5/10/15 Mrs J Turner - response.

5. Consultation responses

N/A

6. Representations

Objections

The objections contained in a letter from Aspect Tree Consultancy on behalf of Concise Construction Ltd are summarised below:

- a) *The order is premature as the site is likely to have a significant change of use in the foreseeable future*
- b) *Removal of significant internal areas would not have any detrimental effect upon public amenity*
- c) *The boundary line of the woodland (WI on the TPO schedule) does not relate accurately to the site and includes large areas of land without any tree cover*
- d) *Reason given for the order is inappropriate as it relate to a 'street scene' contribution*
- e) *No evidence of an amenity assessment of the trees*
- f) *The location is not appropriate for the long term retention of many of the trees due to risk to structures, shading, domination and whole tree failure*
- g) *The planned redevelopment work is consistent with good arboricultural practice*

h) Confirmation of the order in its current state is not expedient in the interest of public amenity

7. Relevant Policy Framework

Protecting trees enhances the quality of the City's environment by ensuring long-term tree cover. Trees help to reduce pollution and traffic noise providing cleaner air to breathe thereby helping to achieve the Council's corporate goal to create a healthy place to live and work and accords with its objective to improve health and wellbeing, as well as creating a more attractive environment. Policy CS18 of the Core Strategy applies.

8. Analysis

Outlined below is the Officer response to the objections.

- a) The order is premature as the site is likely to have a significant change of use in the foreseeable future:* the future of the site is far from certain and it cannot just be assumed that it will have a significant change of use in the future. There have been pre application discussions about **part** of the site covered by the woodland TPO but no firm proposals have been submitted in the form of a Planning Application. The Council has a duty to protect trees that may be under threat in the interest of public amenity, the removal of this woodland would have a negative impact on the local environment and they bring a reasonable degree of public benefit. They are visible from a public place and form an important part of the local landscape of Plympton. It is not therefore considered inappropriate or premature.
- b) Removal of significant internal areas would not have any detrimental effect upon public amenity:* most of the internal level area of the site is previously developed land that is being currently decontaminated and restored. It is accepted that clumps of trees in this area will be lost due to restoration and these have not been protected. The adjacent new housing estates of Triumphal Crescent and Cundy Close all enjoy views into the site and can see the lower slopes of the woodland particularly near the entrance.
- c) The boundary line of the woodland (W1 on the TPO schedule) does not relate accurately to the site and includes large areas of land without any tree cover:* It is accepted that there is an area near the tank to the south west of the entrance that now has few trees due to the decontamination works. Following a recent detailed site visit, there are additional areas of land with little tree cover presently included within the boundary of the part of the woodland in the objector's ownership. This is as a result of the removal of additional trees due to essential decontamination works. The LPA is happy for the boundary of the order map to be amended to reflect this by modifying the order map (see revised TPO map at end of report).
- d) Reason given for the order is inappropriate as it relate to a 'street scene' contribution:* It is agreed that this description is not appropriate and was unfortunately retained in the standard letter from a previous TPO where the description did apply. The original memo to Legal Services who make the order stated the reason was due to its wider landscape value.
- e) No evidence of an amenity assessment of the trees:* an assessment of the amenity value of the tree was undertaken and can be provided.
- f) The location is not appropriate for the long term retention of many of the trees due to risk to structures, shading, domination and whole tree failure:* not many of the trees are close enough to existing structures to cause concern. Shading and domination does not apply to industrial

buildings, this objection is assuming any future housing is going to be built **too** close to trees. A good site layout design of any future scheme should ensure such conflict is minimised.

- g) *The planned redevelopment work is consistent with good arboricultural practice?* Not sure if this is a ground for objection - needs clarification.
- h) *Confirmation of the order in its current state is not expedient in the interest of public amenity.* The LPA does not agree that this is the case but does concede that the boundary of WI needs to be modified.

9. Human Rights

None

10. Local Finance Considerations

The protection of trees by a Tree Preservation Order is a routine exercise for Planning Services. There are no additional financial costs arising from the imposition and administration of the Order that are not included in existing budgets.

11. Planning Obligations

N/A

12. Conclusions

It is concluded that the objections raised cannot be accepted in their entirety. Objection c) relating to the extent of the woodland order is not however unreasonable as additional trees have had to be removed due to decontamination works. Following a site visit with the objector's tree consultant it was agreed that the boundary of the woodland part of the TPO should be amended to more accurately reflect the extent and nature of the woodland. The order map can be modified accordingly. The other grounds raised in objection are not accepted as justification to remove the order.

13. Recommendation

To confirm TPO 506 with a modification to the order map as outlined in paragraph 8c) to accurately reflect the extent of the wooded area.

14. Conditions

N/A



**City of Plymouth Tree Preservation Order No.506
Modified TPO map (hatched areas removed)**

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Map indicating proposed changes to the TPO map 506. Hatched areas are to be removed from the map.