

# Report of the Head of Economic Regeneration & Planning

Planning Committee – 14 July 2015

## Proposed Revocation of 3 No. Tree Preservation Orders:

Proposed revocation of Tree Preservation Order TPO79 – Oystermouth Promenade, Swansea.

Proposed revocation of Tree Preservation Order TPO67 – Cilibion Farm, Gower.

Proposed revocation of Tree Preservation Order TPO53 – 49, Wentworth Crescent, Mayals.

**To consider the revocation of the above Tree Preservation Orders.**

**Recommendation:** that TPO's 79, 67 and 53 be revoked.

**For Decision**

### 1. Introduction.

#### 1.1 Varying and Revoking Tree Preservation Orders.

Local Planning Authorities (LPAs) have powers to make, vary and revoke a Tree Preservation Order (TPO). The Town and Country Planning (Trees) Regulations 1999 set out the procedures involved. By making full use of these powers LPAs can ensure that its TPOs can be brought up to date when necessary. This is often appropriate in the case of old TPOs where the land has been developed, or where trees have died or no longer merit protection. In some instances where younger trees have become established and now merit protection a TPO may be varied accordingly.

### 2. The Oystermouth Promenade (ref. TPO 79)

2.1 The TPO for Oystermouth Promenade was served on 3<sup>rd</sup> September 1956. The trees originally covered by the Order were 50 Cornish elms which were felled because of Dutch Elm Disease. A replanting scheme on an amended layout was carried out which was not covered by the original TPO as it varied considerably. The existing trees on site are within Conservation Area 001 and in Council ownership and therefore do not require further protection. As the original trees that this TPO referred to have been felled and not re-planted, TPO 79 should be revoked.

### **3. Cilibion Farm, Gower (ref. TPO 67)**

- 3.1 The TPO for Cilibion Farm was served on 4<sup>th</sup> April, 1952. It was created to preserve an avenue of elm trees alongside the B4271 at Cilibion. These trees all died in the 1980's from Dutch Elm Disease and have not been replanted. Although there was a requirement that replacement trees be planted they have not been and this cannot be enforced after such a time period.

### **4. 49, Wentworth Crescent, Mayals (ref. TPO 53)**

- 4.1 This TPO is a duplicate of TPO 43 Group 5 – 4 x Beech, 1 x Scots pine. As TPO 43 was created first (and is not materially different) TPO 53 should be revoked.

### **5. Financial or Legal Implications**

- 5.1 There are no Financial or Legal implications arising from this report provided that the Council (a) endorse the original TPO with a statement to the effect that the TPO has been revoked, specifying the date of the revocation order; (b) serve a copy of the revocation order on the persons interested in the land affected by the order; and (c) withdraw from public inspection the copy of the original TPO.

### **6. Recommendations**

- 6.1 Recommendation: that TPOs 79, 67 and 53 be revoked.

#### **BACKGROUND PAPERS:**

*Local Government Act 1972, as amended by the Local Authorities (Access to Information) Act 1985.*

*Town and Country Planning Act 1990*

*The Town and Country Planning (Trees) Regulations 1999*

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Document Revocation of TPO'S

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