

Report of the Head of Economic Regeneration & Planning

Planning Committee – 8 September 2015

Proposed Revocation of 10 No. Tree Preservation Orders as follows:

1. TPO46 - Millfield Close, Sketty Park, Swansea.
2. TPO56 - Coed Saeson, Parc Wern Road, Sketty.
3. TPO57 - 58 Radyr Avenue, Mayals, Swansea.
4. TPO63 - Old Rectory Site, Bishopston, Swansea.
5. TPO74 - Old School House, Nottage Road, Newton, Swansea.
6. TPO75 - 22/24 Glen Road, Norton.
7. TPO87 - 58 Fairwood Road, Mayals, Swansea.
8. TPO90 - The Ridge, Derwen Fawr, Swansea.
9. TPO148 - Land to the rear of 462/464 Gower Road, Killay, Swansea.
10. TPO347 - 34 & 36 Eaton Crescent, Uplands, Swansea.

To consider the revocation of the above Tree Preservation Orders (TPO's).

Recommendation: that TPOs 46, 56, 57, 63 74, 75, 87, 90, 148 and 347 be revoked.

For Decision

1. Introduction.

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. Millfield Close, Sketty Park (ref. TPO 46)

The TPO for Millfield Close was served in May 1974 to cover the site of Sketty Park House when it was sold. This site has been developed since the Order was served and the three trees covered by the Order have been felled. There is no record of when they were felled and replanting cannot be enforced.

3. Coed Saeson, Parc Wern Road, Sketty (ref. TPO 56)

The TPO for Coed Saeson, Parc Wern Road was served in May 1973. The elms included in the Order were felled c.1980. The remaining Limes and Bay tree have also been felled leaving no protected trees. There is no record of when they were felled and cannot be enforced.

4. 58 Radyr Avenue, Mayals (ref. TPO 57)

The TPO for 58 Radyr Avenue, Mayals was served in October 1971. The Order covered one Mountain Ash tree in the rear garden of 58 Radyr Avenue. The tree has been removed with no records of the date and replanting cannot be enforced. As a Mountain Ash is a relatively small tree and was in a rear garden with plenty of surrounding tree cover it is unlikely that it made a significant contribution to the amenity of the area.

5. Old Rectory Site, Bishopston, Swansea (Northway Court) (ref. TPO 63)

The TPO for Old Rectory Site, Bishopston was served in 1976. The Order was reviewed on 31st July 2015 and none of the trees remain. No replacement trees have been replanted and this cannot be enforced.

6. Old School House, Nottage Road, Newton (TPO 74)

The TPO for The Old School House, Nottage Road, Newton was served in January 1977. The Order covered 11 Elms, of these only 1 remains which is very small and not visible from the road because of the large screen of trees and shrubs surrounding the property. The remaining tree does not merit a TPO and the Order should be revoked.

7. 22/24 Glen Road, Norton (TPO 75)

The Tree Preservation Order for 22/24 Glen Road, Norton was served on 26th November 1976. T1, T2, T3 and T4 were felled when Glen Road was widened in 1977 and not replanted. T5 was felled in 1983 and the replanted tree has not survived. The Authority cannot enforce replanting after this time lapse.

8. 58 Fairwood Road, Mayals, Swansea (ref. TPO 87)

The TPO for 58 Fairwood Road was served in 1978 to cover the two silver birches on the site. One tree has been felled and one has died as a result of the impact of a permitted development. The planning permission did not include a condition for tree planting or replacement, therefore this cannot be enforced.

9. The Ridge, Derwen Fawr (TPO 90)

The TPO for The Ridge, Derwen Fawr was served in November 1978. T2 and T3 were felled with consent in 1992 and 2006 respectively. These two trees should have been replanted but this cannot be enforced. T1 has been felled without record and re-planting cannot be enforced.

10. Land to the rear of 462/464 Gower Road, Killay (TPO 148)

The TPO for Land to the rear of 462/464 Gower Road, Killay was served in June 1982. The Sycamore tree covered by the Order was felled with consent in 1983. No replacement tree has been replanted and this cannot be enforced.

11. 34 & 36 Eaton Crescent, Uplands (TPO 347)

The Tree Preservation Order for 34 & 36 Eaton Crescent, Uplands was served in February 1992. The Sycamore was felled in 1992 without consent and should have been replanted. The Beech has also been felled without record and not replaced. The replanting cannot be enforced. In addition, garages have been built on the site where the trees were.

12. Financial or Legal Implications

There are no Financial or Legal implications to this authority 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; (c) withdraw from public inspection the copy of the original TPO and (d) remove the information from the land charges register.

13. Recommendation

That TPOs 46, 56, 57, 63, 74, 75, 87, 90, 148 and 347 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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| <i>Contact Officer:</i> | <i>*Liz Phillips</i> | <i>Extension No:</i> | <i>*5724</i> |
| <i>Date</i> | <i>of 1st September 15</i> | <i>Document</i> | <i>Revocation of 10 TPOs</i> |
| <i>Production:</i> | | <i>Name:</i> | |