



Report of the Head of Planning and City Regeneration

Planning Committee - 5 February 2019

Provisional Tree Preservation Order TPO 653 - Land at Clos Coed Collings and Ffordd Olchfa (2018)

To consider the confirmation, as a full Order, of the provisional Tree Preservation Order 653, Land at Clos Coed Collings and Ffordd Olchfa (2018)

Recommendation:

That the Tree Preservation Order Land at: Clos Coed Collings and Ffordd Olchfa (2018), be confirmed with the location of C5 altered in Schedule One to "Front of 70 Ffordd Yr Olchfa"

For Decision

1. Introduction

- 1.1 The provisional Order was served on 7th August 2018.
- 1.2 The order was made following the developer making enquiries about pruning trees on site that had some protection from the imposed planning conditions.
- 1.3 Trees retained in the development as well as those planted as part of the approved landscaping scheme are protected by this order as they were judged to contribute to the local visual amenity.

2. Objections and representations

- 2.1 Four letters expressing objections have been received within the minimum required consultation period. No letters of support have been received.
- 2.2 The objections received are summarised below:

1. 9 Clos Coed Collings:

The Occupier objects to the Liquidambar tree (C9) being protected for the following reasons:

- It is in an enclosed private garden and does not provide significant local amenity.
- The development is surrounded by woodland and they do not agree that the trees are under threat.
- To the objectors knowledge no trees were removed from this area prior to construction.
- The tree is likely to cause boundary disputes.
- Liquidambar is not a suitable species for that location.

- Liquidambar has aggressive roots
- Previous experience of TPOs prevented them from purchasing a property.

2. 25 Clos Coed Collings:

The Occupier objects to the maple tree (C25) For the following reasons:

- It will shade their front room.
- The tree prevents the objector from extending their drive.
- The roots will damage the drive.

3. 72 Ffordd Yr Olchfa:

The Occupier objects to the inclusion of maple trees C5, C6 and Liquidambar C10 for the following reasons:

- These trees are very recently planted and therefore have no historical/regional significance for neither this development nor the local area.
- None of these trees are endangered neither do they contain habitats for protected or endangered species.
- This area in the west of Swansea is an already very green, leafy suburb. There are already an abundance of trees in the surroundings and green spaces are plentiful. We do not see the need to preserve these trees under a TPO.
- C10 cannot be of benefit to the community as it cannot be seen from the main street. It is in a back garden.
- When at full size, there is potential for C10 to overhang our property and cutting back will no longer be a straight forward matter.
- When mature, these deciduous trees (C5, C6 and C10) will be of a significant size and this brings related implications:
 - a. The roots could cause structural damage to surrounding properties and drainage systems.
 - b. The many leaves from C5 will fall directly onto our drive. This is a health and safety issue as it will create a slippery surface on the driveway. Our 2 small children use the driveway as a play area during the winter months so this will need to be kept free of hazards.
 - c. The branches from C5 could overhang our driveway thus causing damage to our vehicles.
 - d. The leaves from C10 will fall into our rear garden. This will create additional tasks in terms of clearing the leaves from the grass or seeding for new grass if the leaves are left in situ through the autumn and winter months.
 - e. These trees will take light.
- Trees C5 and C6 will cause the render on the front of our property to discolour. This will have financial implications for us to maintain the appearance to the front of the house.
- Every single tree under this TPO that is on the front of a property has potential to be a danger to the public in terms of leaves shedding onto the pavements.
- The relevant homeowners should be able to make decisions regarding trees on their land without the need to contact or gain consent from the local authority.

4. 11 Clos Coed Collings:

The Occupier objects to the Liquidambar tree (C10) For the following reasons:

- It does not form part of the street scene at the front of the property and is not visible from a public place

- 2.3 A representation was made highlighting an error in Schedule One. C5 Maple should be placed (as per map) in Front of 70 Ffordd Yr Olchfa and not "Front of 68 Ffordd Yr Olchfa" as described.

3 Appraisal

Objections

- 3.1 9 Clos Coed Collings. It is agreed that at present there are limited views of tree C9 limiting its visual amenity value. However, as the tree matures it will become more visible.
- 3.2 Although the development site is surrounded by woodland, the protected trees have been planted in mitigation of loss of others as well as for the creation of 'place'.
- 3.3 The TPO on the tree would help prevent neighbour disputes about overhanging branches as permission to prune the tree would require permission from the Council.
- 3.4 The species was chosen by a landscape architect and judged to be suitable for that location.
- 3.5 It is not known what is meant by 'aggressive roots'.
- 3.6 Although the objector has decided not to purchase a property that had a TPO tree this is not the view of all and trees can be seen as an asset.
- 3.7 25 Clos Coed Collings. The trees were planted by the developers as part of the approved landscaping scheme. This scheme should have taken into account the proximity of structures, soil type and depth of foundations as detailed in the National House Building Council guidance notes (NHBC 4.2). In addition to the design of the scheme, if the trees start to cause damage an application to remove them is likely to be successful and can be made by the occupier without charge.
- 3.6 The purpose of the TPO is to ensure trees planted in the approved scheme mature in order to mitigate trees removed during construction and for the creation of 'place'. The removal of the tree to create additional parking will detract from the designed planting scheme and approved plans.
- 3.7 72 Ffordd Yr Olchfa. Tree preservation orders are not to protect trees for historical or biodiversity significance. Their role is to protect local visual amenity.
- 3.8 Although the development site is surrounded by woodland, the protected trees have been planted in mitigation of loss of others as well as for the creation of 'place'.
- 3.9 It is agreed that at present there are limited views of tree C9 limiting its visual amenity value. However, as the tree matures it will become more visible.
- 3.10 The trees were planted by the developers as part of the approved landscaping scheme. This scheme should have taken into account the proximity of structures, soil type and depth of foundations as detailed in the National House

Building Council guidance notes (NHBC 4.2). In addition to the design of the scheme, if the trees start to cause damage an application to remove them is likely to be successful.

- 3.11 Fallen leaves can be a minor problem for a short period during autumn. They can be easily cleared without too much effort. Removing trees to prevent leaf fall is not a sustainable position.
- 3.12 Overhanging branches can be cut back following a tree works application; there is no reason why damage to cars should occur.
- 3.13 The position of trees C5 and C6 should not significantly shade the property. The species was chosen by a landscape architect and judged to be suitable for that location.
- 3.14 The imposition of the TPO allows the Council to have some control on tree cover and will ensure they are not removed for reasons of minor inconvenience.
- 3.15 11 Clos Coed Collings. It is agreed that at present there are limited views of tree C9 limiting its visual amenity value. However, as the tree matures it will become more visible.

Representations

- 3.16 The error is noted and the location description of C5 should be: "Front of 70 Ffordd Yr Olchfa".

Summary

- 3.17 At present trees C9 and C10 have limited visual amenity value, however their importance in the landscape will increase as they mature.
- 3.18 Tree C25 is part of the approved scheme and contributes to the visual amenity. Parking provision was considered during the planning process and this area was considered being suitable for tree planting.
- 3.19 Trees C5 and C6 contribute to the local visual amenity and the minor inconvenience of fallen leaves is not reason enough for the trees to be removed.
- 3.20 No objections have been made to the inclusion of the other trees in the order.

4. Recommendation

That the Tree Preservation Order: Land at: Clos Coed Collings and Ffordd Olchfa (2018), be confirmed with the location description of C5 is altered Schedule One to "Front of 70 Ffordd Yr Olchfa".

Contact Officer: Alan Webster
Extension No: 5724