



Report of the Head of Planning and City Regeneration

Planning Committee - 6 July 2021

Provisional Tree Preservation Order TPO679 Land Adjacent To Rock House And Mill Farm, Waunarlwydd, Swansea. (2021)

To consider the confirmation, as a full Order, of the provisional Tree Preservation Order 679, Land Adjacent To Rock House And Mill Farm, Waunarlwydd, Swansea. (2021)

Recommendation:

That the Tree Preservation Order Land Adjacent To Rock House And Mill Farm, Waunarlwydd, Swansea. (2021) be confirmed without modification.

For Decision

1. Introduction

- 1.1 The provisional Order was served on 27th January 2021.
- 1.2 The order was made following reports made to the Council about land clearance on the site. Within the same ownership large areas of woodland are present and were considered at risk.

2. Objections and representations

- 2.1 One objection has been received by email outside of the minimum required consultation period. The Objector has given mitigation why this was received after the time period.
- 2.2 The reasons given for the objection are summarised below:
 - The TPO is unnecessary as many other parts of Wales are unprotected;
 - A similar site nearby has gained planning permission resulting in the removal of trees;
 - If the whole Order cannot be withdrawn the objector requests that areas around the watercourses on site are removed to allow maintenance.
 - The area 'A1' has trees individually listed rather than covered as a 'blanket' order.

3 Appraisal

- 3.1 The purpose of tree preservation orders primarily is to protect local visual amenity by placing a control on tree removals. The objection includes details

that the Objector intends to remove more trees. The TPO ensures that this is done with regard to the local visual amenity.

- 3.2 A nearby site that is in the process of being developed also had tree preservation orders on trees present. This ensured that the trees were considered in the planning process and not removed wholesale prior to application, thus protecting local visual amenity.
- 3.3 The Objector is concerned about management of the watercourses, the TPO will not prevent suitable woodland management but will require an application that does not incur a cost to the applicant.
- 3.4 Ideally A1 will be altered to individual trees; however, in the meantime the area designation is no greater constraint for the Objector as it only covers trees present at the time of serving of the documents.

Summary

- 3.8 The trees and areas of woodland covered by the Order provides considerable visual amenity to the area. Considering the appraisal above, it is considered that the Order is reasonable and proportionate and should be confirmed without modification.

4. Recommendation

That the Tree Preservation Order TPO679 Land Adjacent To Rock House And Mill Farm, Waunarlwydd, Swansea. (2021) be confirmed without modification.

Contact Officer: Alan Webster 635724

Appendix: Objection received.

Tree Preservation Order TPO 679. Land Adjacent to Rock House and Mill Farm, Waunarlwydd, Swansea (2021)

"Thank you for replying to my email requesting extra time to respond to the above notice.

I didn't actually read the notice until around mid February 2021. I no longer occupy 105-106 High Street where it was posted to and the machine operator you handed a copy to cannot read. He told me on the telephone that he had been given some sort of letter but that was about it. I was in isolation at the time due to my wife's medical condition so therefore could not visit either my office in Gorseinon or the site to look at the copy he had. I hope this gives some justification in my request for extra time.

I understand the reaction to the work that was being carried out and I understand how difficult it may have been to get any sense out of the situation at the time. As well as the machine operator being uncooperative, I was not answering any calls I didn't recognise as my phone was constantly being called by members of the public, some of them quite aggressive.

During the site visit when we met in person I explained that work clearing the fields has been completed. The work was done as a result of land being severely overgrown and could not be left any longer.

It is my intention to allow the land to return to a condition whereby it can be grazed and establish legal footpaths in their correct location. There is a problem on the land with lack of fencing, the public walking anywhere they feel like and a massive problem of dog mess which is contaminating the land.

I would on the outset ask that the entire order be withdrawn. It is simply unnecessary. I do not see any reason why I should have such an order placed in a blanket fashion to large areas of land. There is no difference between my land and huge areas of adjoining land, indeed all over Wales where no such orders exist. A TPO effects the value of the land, the ability to manage the land and the ability to access water courses.

Indeed very nearby on similar terrain planning permission has been granted to build 38 houses resulting in removal of all trees and growth of any type on the entire site. On another nearby site 11 houses are to be built and no doubt every tree cut down without the slightest concern of anyone including your department.

If you are not prepared to remove the entire order I would ask that you take into account the following approach.

I attach a plan which I have marked. The green lines are water courses, streams or brooks. Many of them are blocked and creating swamp like conditions.

I request that I should be allowed to remove growth in and around these natural watercourses in order to keep them clear and flowing. If any specific trees are to be protected then these trees should be individually listed rather than this blanket order. I should be permitted a reasonable distance (say 10 meters) running alongside all areas of natural running water to bring in the required machinery to carry out necessary maintenance work.

The area hatched in red has already been cleared and larger trees have been left untouched. I request that the order be removed completely from this area and if there are any trees on that area that justify individual TPO's then so be it.

If you are prepared to remove the order I can assure you that I will inform you in advance of any future work I plan to carry out on the land.

I look forward to hearing from you.

Yours sincerely"