

AGENDA ITEM NO. 14**PLANNING COMMITTEE****Date** 08/03/23**Title** TPO 01/2023**1. PURPOSE**

The purpose of this report is to advise members of the current situation in respect of confirmation of a Tree Preservation Order (TPO) Eaudyke Bank, Tydd St Giles

2. SUMMARY

Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and confirmations are only referred to this Committee where objections to the Order are received.

BackgroundArboriculture officer comments requesting to TPO the trees

Eaudyke Bank is a single-track lane on the outskirts of Tydd St Giles and bisects the Tydd St Giles Golf and Country Club.

The lane is characterised by both belts and individual trees along its length with some sections more open with views across farmland and the golf course.

The trees contribute to the amenity and biodiversity of the area. There is a perceived threat to the trees from ongoing developments in the area and a TPO will help ensure continuity of tree cover, biodiversity and amenity.

TPO objection

An objection to the TPO was lodged by Pure Leisure Group owner of the Tydd St Giles Golf and Leisure Complex, the owners of the trees.

3. RECOMMENDATION

It is therefore recommended that Members confirm the TPO in respect of the T01-T18 (1 x Pride of India, 3 x Hornbeam, 3 x Ash, 3 x Poplar, 3 x Plane, 1 x Horse Chestnut, 2 x Silver Maple, 2 x Sycamore)

Forward Plan Reference No. (if applicable)	Not applicable
Portfolio Holder(s)	Not applicable
Report Originator	Tracy Ranger, Development Officer
Contact Officer(s)	David Rowen, Development Manager
Background Paper(s)	N/A

1. BACKGROUND

- 1.1 The Council's Arboricultural Officer requested that the T01-T18 (1 x Pride of India, 3 x Hornbeam, 3 x Ash, 3 x Poplar, 3 x Plane, 1 x Horse Chestnut, 2 x Silver Maple, 2 x Sycamore) trees have a Tree Preservation Order placed on them.

2. PROPOSAL

- 2.1 The Order encompasses T01-T18 (1 x Pride of India, 3 x Hornbeam, 3 x Ash, 3 x Poplar, 3 x Plane, 1 x Horse Chestnut, 2 x Silver Maple, 2 x Sycamore) and is detailed on the accompanying plan.

3 PLANNING HISTORY

- 3.1 The planning history of the site is pertinent to this proposal to protect the trees as stated. As part of the Golf and Country Club approximately 38 holiday homes have been erected on site (Apps: F/YR08/0581/F & F/YR19/0254/F). In addition, there is an application pending for a further 51 holiday homes, a bird hide and a lake on site.

4 CONSULTATIONS

4.1 FDC Arboricultural Officer

The trees contribute to the amenity and biodiversity of the area. There is a perceived threat to the trees from ongoing developments in the area and a TPO will help ensure continuity of tree cover, biodiversity and amenity.

4.2 Local Residents/Interested Parties

The landowner Pure Leisure Group has objected to the placing of the TPO's as they consider it is unjustified and they consider that the trees specified under the TPO hold no particular amenity value, making the following comments:

As a multi-award winning (David Bellamy Environmental/Ecological) owner and operator of holiday leisure parks throughout the United Kingdom (Tydd St. Giles Golf and Leisure Complex included), Pure Leisure Group is bemused to receive the above and wish to Object to the Order. Pure Leisure Group has consistently demonstrated a long-standing commitment to protecting and enhancing the natural environment. If you review (on-line) our park located at Fell End in Cumbria, you will see that Pure Leisure Group created and operate a Nature Reserve, freely accessible to visitors, the local community and an invaluable educational asset.

As I believe that you will already be aware, Pure Leisure Group has an on-going planning application in progress in respect of the siting of additional holiday lodges at Tydd St Giles Golf and Leisure Complex. In support of the above, the Tree Survey and Arboricultural Assessment, respectfully does not corroborate the comments within your correspondence that;- "The trees are considered worthy of preservation because of their amenity value to the area". The reality is that the trees listed in the Order, in terms of species and/or amenity value, make no arboricultural contribution to the location. Furthermore, the existing and extensive planting within and beyond the site was undertaken, voluntarily by Pure Leisure Group.

Pure Leisure Group has no desire to diminish the fauna, flora, shrubs and trees, etc., that form the integral character of Tydd St. Giles Golf and Leisure Complex – with the Tree Survey and Arboricultural Assessment proposing additional planting! Respectfully, even if there was a potential root protection “conflict” as a result of the proposed development, that can (as is the norm), be addressed by the planning authority specifying conditions, such as protection and/or requiring compensatory replanting and replacements. We believe that approach is more beneficial than a Tree Preservation Order.

As with all planning applications, there is a due process for developers and the local authority planning service to follow, within local and national planning guidelines. That, quite rightly, includes the tried and tested process for receipt of comments, for and against development proposals, from consultees and neighbouring property owners, etc. I sincerely hope that the proposed Order is not an attempt, by any third party, to circumvent and/or influence that process unfairly. Accordingly, as the land owner and as part of this objection, I should be very grateful if you would forward me a copy of the submission made to Fenland District Council in respect of the proposed Tree Preservation Order for the trees identified and specifically listed in your correspondence. Finally, can you please advise me if the draft proposed Tree Preservation Order based on an inspection and assessment carried out by the Council’s Tree Officer?

5 CONCLUSION

- 5.1 Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and confirmations are only referred to Committee where objections to an Order are received. Due consideration has been given to the objection from Pure Leisure Group however the trees are considered important to the amenity and ecology of Eaudyke Bank.
- 5.2 The placement of a TPO does not prevent tree works or even removal but gives the Local Planning Authority control over ‘inappropriate’ works.
- 5.3 It is therefore recommended that the TPO is confirmed.





arwald Field

Old Eau Field

Low Gate

T018

T016
T015

T008

T010

Eaudyke Bank

T012
T014

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T007

T006

T005

T004

T003

T002

T001

Eaudike Field

Tydd St Giles Golf
And Country Club

Augusta Drive

Carnoustie Court

Wentworth Drive

The Willows

Sandy Lane

Sandy Lane

Bank House Farm

Eaudyke Bank

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