

To the Chairman and Members of the
PLANNING REGULATORY BOARD

Date 14th May 2015

Report of the Director of Planning and Regeneration Service

ITEM NO. SUBJECT

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| 1 | Proposed Tree Preservation Order No 4 2014 – land adjacent to Rayls Rise/Manor Way, Todwick, Rotherham S26 1HY. |
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Item 1**Proposed Tree Preservation Order No 4 2014 – land adjacent to Rayls Rise/Manor Way, Todwick, Rotherham S26 1HY.****RECOMMENDATION:**

That Members confirm the serving of Tree Preservation Order No. 4 (2014) with regard to 7 Oak trees and a Weeping Willow subject of this report, situated on land adjacent to Rayls Rise/Manor Way under Section 198 and 201 of the Town and Country Planning Act 1990.

Background

An Order was made on 13 November 2014 (TPO No. 3 2014) following concerns from local residents that existing mature Oak trees on the land were at risk of removal. The Order was made using the 'Area' designation as a holding measure until a more detailed site inspection could be made. Following notification from the landowner's agent to the Council's Planning Service, 10 mature Oak trees were uprooted before the Order was served leaving only 1 Weeping Willow on the

landowner (Mr Smith's) land. The original Order was revoked and a second Order served on 17 November 2014 including the Weeping Willow and a smaller 'Area' designation to protect 7 remaining Oak trees. The boundary of the revised 'Area' still overlapped Mr Smith's land where trees were no longer present.

An objection was raised by Mr Smith regarding the use of the 'Area' designation which covers a significant part of one of the owner's land where there are no trees present. The agent indicated that if the Order is modified before it is confirmed to represent the actual positions of the trees outside Mr Smith's land there will be no further objection to the Order. In response, the positions of the 8 remaining trees within the original designated area have been surveyed and plotted as individual trees as indicated on the attached site location diagram (along with the Weeping Willow). Therefore, if the Order is confirmed with modification in accordance with amended site location plan and schedule of trees the objection to the Order will be overcome.

Conclusions

The objection to the Order has been carefully considered and the Order has been made in accordance with Government guidelines. In this instance, it is recommended the Order is confirmed with modification as indicated above which would address the objection raised.