



My Ref: TPO288 Objection response

Mr P Duckworth  
Environment Landscape Management  
Lees Hall Quarry  
Turnlee Road  
Glossop  
SK23 6JT

Emailed to: pgduckworth@googlemail.com

4/11/2019

Dear Mr Duckworth

**Objection to Tree Preservation Order: 288 Lees Hall Quarry Turnlee Road Glossop**

Mr Duckworth thank you for your letter dated 25/7/2019 objecting to the making of the above order

I note that you have several grounds for objection to the making of this TPO. I have given these due consideration addressed each of these in turn

**1. There is an Existing Order.**

This TPO protects the old high amenity trees.

Derbyshire County Council Tree Preservation Order No 61 (DCCTPO61) was made on 19/5/1960. The order is approaching 60 Years old. The Order made at this time was an area order which only cover those trees which were present when the order was made. This type of order can be ambiguous and current advice is that these type of orders should be replaced with other types of designations where appropriate. As such the making of this order is in line with Government Guidance.

Prior to the making the order the matter was discussed with DCC's tree officer and it was decided that a woodland order would be more appropriate in this instance. This type of order would avoid any ambiguity as to what was protected and would recognised the value of younger trees contribute to the amenity of the woodland as a whole.

**2. The woodland is not under threat of removal**

One reason given for making the TPO was to protected the woodland from the potential threat of harm or removal. There is clear evidence that there has been earth moving on site which has lead to level changes and this combined with the

regular dumping of woodchip around the trees is causing some of the younger trees to collapse. Also the increase in the levels around the base of the trees can cause premature death by asphyxiation. It is clear that trees are being harmed by activity on the site.

With regards to tree removal an analysis of aerial photos from 2005 to 2018. This shows clearly tree cover prior to your occupation of the site circa 2009 and the incremental reduction of the wooded area over the following years. I am aware that some consent has been issued by DCC for trees works and that some of the young trees were not protected by the TPO and did not require consent but the impact is noticeable and combined with the current activity suggests that further encroachment into the wooded area can reasonably be anticipated.

I note your comment about the felling licences and have considered this as a method of protecting these trees but I do not consider that in this case this is adequate to protect this woodland as there are exemptions which would not prevent harm to the trees and ongoing incremental removal of the wooded area

### **3 The TPO would prevent normal management of the woodland, including the thinning of younger trees .**

The new TPO would not prevent works that are required in accordance with an approved woodland management plan. This plan can be agreed with the council and cover works over a defined period of time. There are also Government woodland management grants available and if a woodland management scheme is agreed as part of grant funding then these works would not necessarily require additional consent if agreed in consultation with the LPA.

### **Other planning issues**

I understand that you will be making a retrospective planning application relating to recent works on site. If tree works are required as part of these works this will be considered under the planning application processes and if planning approval is granted this will take precedence over the TPO.

### **Conclusions**

Given the above considerations I will be recommending that the Tree Preservation Order is confirmed and made permanent.

### **What you can do now**

You can withdraw your objection to the TPO and it is confirmed or the TPO will go to Development Control Committee to be decided.

If you agree to withdraw your objections by the **12<sup>th</sup> November 2019**. The TPO will be confirmed as it stands and we can start discussing developing a woodland management plan which for the site to allow ongoing positive management of the woodland.

If the TPO goes before the committee they will be advised of the background to the making of the order, your objections and my reasons why I consider that despite the objections the TPO should be confirmed and made permanent. They can decide to follow my recommendations or decide that the order should not be made permanent and allowed to lapse.

Yours sincerely

**Monica Gillespie**  
**Arboricultural Officer**  
**Development Services**

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