

## Report to the Planning Committee

**Location:** St Marks Church, School Walk, Bestwood, Nottinghamshire  
**Proposal:** Protection of 2 no. Sycamore trees by a Tree Preservation Order (TPO)  
**Case Officer:** Lewis Widdowson

### 1.0 Purpose

1.1. To request authorisation to confirm Tree Preservation Order (TPO) No. 000139 'St Marks Church Cemetery, Bestwood' without modifications.

### 2.0 Background

2.1. Gedling Borough Council made an emergency provisional TPO, protecting 2 no. Sycamore trees at St Marks Church, School Walk, Bestwood, Nottinghamshire on the 18<sup>th</sup> November 2020.

2.2. Under the Town and Country Planning Tree Regulations 2012 the Council served a copy of the notice on the owners and occupiers of the land directly affected by the TPO. Interested parties had until the 16<sup>th</sup> December 2020 to submit any representations to the Council which would then be taking into consideration when deciding whether to confirm the TPO.

2.3 In total one representation was submitted following the consultation. The main comments raised are summarised below:

- Sycamore trees are considered weed species by Natural England.
- T1 is overgrown and overhangs no. 20 Hill Road, Bestwood and given its proximity to the dwelling is considered extremely dangerous.
- Gutters and drains of no. 20 Hill Road, Bestwood are blocked with leaves and seeds from T1 and the tree is considered dangerous given its very close proximity to the dwelling.

- T1 should be heavily pruned and if the TPO is confirmed the objector would like the council to indemnify the property against any future damage caused by the tree.

2.3. The above comments were referred back to the Councils Forestry Officer who stated the following:

- I am unable to find evidence of Natural England referring to Sycamore trees as weeds. A tree that actively spread seeds and dominates poor soils are correctly referred to as pioneer species as in those that go first and endure when others fail. Notwithstanding its classification as a pioneer species or otherwise, it is considered that the tree provides a great deal of visual amenity and as such should be highly valued for protection.
- In this situation clearly the trees have been deliberately planted in a straight line to form part of a boundary, approx. 20 meters away from the nearest dwelling. Therefore neither of the above is considered an accurate descriptive reflection of the trees of concern.
- A confirmed TPO does not preclude any works from being carried out on the trees it effects. Applicants must however, first obtain permission from the Local Planning Authority before undertaking any works deemed required. As such the objector could, should they wish, submit an application to carry out works to overcome any specific concerns they may have.

2.4. In accordance with the Council's Constitution, all new Tree Preservation Orders and any Tree Preservation Order which received an objection, must be considered by Planning Committee.

### **3.0. Proposed Action**

3.1. Taking the above comments and objections into consideration, I am satisfied that the trees protected by the Provisional TPO 000139 remain worthy of protection and as such I recommend that the Order is confirmed without modification and to notify interested parties of the Councils decision.

**4.0 Recommendation: Confirm Tree Preservation Order - 000139 'St Marks Church Cemetery, Bestwood' without modification.**