



Report of:	Meeting	Date	Item No.
Mark Billington Corporate Director Environment	Planning Committee	6 October 2021	

Wyre Council Tree Preservation Order No8 of 2021: Land at Bowses Hill Farm, Stalmine, FY6 0LW.

1. Purpose of report

- 1.1** To consider the objections to the making of Wyre Council Tree Preservation Order No8 of 2021: Land at Bowses Hill Farm, Stalmine, FY6 0LW.

2. Outcomes

- 2.1** To determine whether or not to confirm the Wyre Council Tree Preservation Order No8 of 2021: Land at Bowses Hill Farm, Stalmine, FY6 0LW.
- 2.2** An effective tree preservation order makes it an offence to do any works to the protected trees without first gaining consent from the Local Planning Authority unless such works are covered by an exemption within the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. Recommendation

- 3.1** That the Wyre Council Tree Preservation Order No8 of 2021: Land at Bowses Hill Farm, Stalmine, FY6 0LW. ("the TPO") is confirmed without modifications for the reasons set out in this report.

4. Legislative background to the TPO

- 4.1** Section 198 of The Town and Country Planning Act 1990 (as amended) empowers Local Planning Authorities to protect trees or woodlands in their area in the interests of amenity by making tree preservation orders. Following the introduction of **The Town and Country Planning (Tree Preservation) (England) Regulations 2012**, The Local Planning

Authority is required to confirm a tree preservation order within six months of the issue date if it is to continue to have effect after that period. When an objection is received, a decision on confirmation is usually referred to the Planning Committee.

- 4.2** Tree preservation orders are usually made because it is considered expedient in the interests of amenity to protect the trees from felling or pruning. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make an order as a precaution.
- 4.3** Amenity is not defined in law but the government's advice is that authorities need to exercise judgement when deciding whether it is within their powers to make an Order. Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future (GOV.UK, 2014).
- 4.4** Therefore the following criteria should be taken into account when assessing the amenity value of trees:
- **Visibility:** *the extent to which the trees or woodlands can be seen by the general public will inform the LPA's assessment of whether its impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.*
 - **Individual, collective and wider impact:** *public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to it of their characteristics including:*
 - *Size and form;*
 - *Future potential as amenity;*
 - *Rarity or historic value;*
 - *Contribution to, and relationship with, the landscape; and*
 - *Contribution to the character or appearance of a conservation area.*
 - **Other factors:** *where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change, although according to guidance these "Other factors" alone would not warrant the making an order.*

(Source: Tree Preservation Orders and trees in Conservation Areas/Planning Practice Guidance March 2014).

- 4.4** The Regulation 5 notice, which is a legal notice that is served with the tree preservation order documents on the owner and occupier of the land affected by a tree preservation order and also the owner and occupier of the adjoining land, states the reason why the trees have been protected and invites objections or representations to be made to the Local Planning Authority within a 28-day period. The Regulation 5 Notice issued in respect of the land affected by the TPO gave the reason for making the TPO as “*it is expedient in the interest of amenity*”.
- 4.5** Once made, a tree preservation order takes effect provisionally for six months, but must be confirmed by the Local Planning Authority within that period to continue to be effective. If it is not confirmed the tree preservation order ceases to have effect and the trees are unprotected. When objections or representations are received the Council must consider those before any decision is made whether or not to confirm the order. In these cases, referral to Planning Committee is usually appropriate.

Within the framework of a TPO, a Local Planning Authority may classify trees as occurring either as individuals, groups, woodlands, or areas.

A Woodland designation recognises that natural regeneration from seed is integral to self-sustaining woodland and therefore covers each and every tree irrespective of whether it was growing at the time the TPO was made. The Woodland designation covers future trees. The Woodland designation can make allowance for some degree of woodland management taking place in order to sustain the woodland.

5. Background to making the TPO

- 5.1** In February 2021 the tree officer received reports of tree felling at Bowses Hill Farm and visited on 15 February 2021 and was shown by the proprietor to an area where minor cutting back of encroachment had taken place for clearance of rides around the perimeter of the broadleaved woodlands. Reports of additional tree cutting activities led to the tree officer and Forestry Commission woodland officer visiting on 17 June 2021 during which the proprietor and officers walked throughout the woodlands and discussed crown raising and tree thinning works that had been undertaken recently, future felling license requirements and ongoing works and activities regarding a proposed glamping site.
- 5.2** There is currently no planning application lodged that relates to the glamping site proposal.
- 5.3** On 17 June 2021, after the site visit, the tree officer undertook an appropriate tree evaluation method for preservation orders (“TEMPO”) which guided the subsequent decision to make the TPO. The TPO applies to W1 (woodland 1) and W2 (woodland 2) a combined total of 2.8 ha of broadleaved woodland at Bowses Hill Farm.

A copy of the completed TEMPO survey data sheet relating to the TPO along with associated images of the TPO are appended to this report at Appendix 1.

- 5.4** On 6 July 2021 Wyre Council made Tree Preservation Order No8 of 2021: Land at Bowses Hill Farm, Stalmine, FY6 0LW. A copy of the TPO plan is appended to this report at Appendix 2.
- 5.5** The Council served correspondence on the owners and occupiers of the land affected by the TPO and on those adjoining, notifying them of the making of the TPO in accordance with Regulation 5 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
- 5.6** The period for any objections and representations to be made to the Council in respect of the TPO ended on 3 August 2021. Wyre Council received two formal objections in regard to the TPO: (i) submitted on 27 August 2021 by the Land and property agent acting on behalf of their client the proprietor of Bowses Hill Farm, and, (ii) submitted on 28 August 2021 by the proprietor of Bowses Hill Farm.

Three representations supporting the TPO were received via e-mail after the objections and representation period had expired so cannot be discussed within the body of this report.

Redacted copies of the objection letters and representation e-mails are appended to this report at Appendix 3.

6. Summary of Objections

(i)

1. The rationale as to why the Order is proposed has not been explained.
2. The area mapped for a blanket TPO is a young plantation that was created under a Forestry Commission Woodland Grant Scheme (WGS), dated 03/12/2003. The scheme requires areas of converted land with more than 50% broad-leaved trees to be maintained in accordance with good forestry practice for a period of 30 years.

The WGS paperwork confirms 'Management of the woodland after establishment will be by thinning'. This means that the site will be managed under a continuous cover silvicultural system. The visual impact from the passing public footpath will therefore be retained regardless of the TPO.

3. The site has been actively managed to date to promote tree growth, good timber quality, and promotion of natural regeneration which all aligns with good forestry practice in accordance with the UK Forestry Standard.

A very detailed site survey would be required marking every tree to ensure my client is not prosecuted for any works that were carried out prior to the TPO.

4. Prior to the tree planting scheme in 2003-04 this was a standard agricultural field with overhead powerlines. The amenity has been significantly enhanced by the management to date.

5. Section 9 of the Forestry Act 1967 is applicable and requires the landowner to apply for, and receive approval for, a felling licence from the Forestry Commission prior to carrying out any works that fall outside of the standard exceptions.

6. There are powerlines running through the site that lie outside of the planted area and TPO site. However, as the area matures in future years it may be necessary to carry out works within the proposed TPO area as a safety precaution, to prevent trees potentially falling on the powerline. This would not be permitted under the proposed TPO without detailed consent.

7. A felling licence will be required before any significant felling works can be carried out. How is this to be dealt with once a blanket TPO is in place?

8. All trees on site are young stock, many have Ash Dieback, and there are no trees of individual significance. Consequently, those with Ash Dieback need to be removed (a requirement of the Forestry Commission).

9. Enforcing a TPO will also prevent my client from carrying out good forestry practice works within a timely and cost-effective manner. The TPO would require consent from Wyre Borough Council for cutting down, topping, or lopping. It is completely irrational to require two levels of permission as any felling works would require consent from both 1) Wyre Council and 2) the Forestry Commission. This is completely unnecessary. As for works required to the adjacent powerlines, consent would be required from 1) Wyre Borough Council 2) the Forestry Commission, and 3) the relevant Electricity Board.

10. The 'amenity value' of the woodland is purely due to the woodland management that has taken place to date. The owners wish to continue management and establishment of the woodland. However, increasing the number of required consents for any works will make elements of woodland management unviable and decrease the likelihood of a successful continuous cover silvicultural system. Ultimately, a TPO on the site would have the opposite effect of its intention and a negative impact on its amenity value.

If it is the proposal going forward that all tree plantations under a Woodland Grant Scheme to be covered by a TPO, I feel the wider Government aim of planting 30,000 hectares of trees before the end of this Parliament will not be achieved (that is 7,000 hectare per year to 2024 alongside new initiatives to improve the health of trees, create more woodlands in cities, and deliver thousands of green jobs as we build back greener from the pandemic). I therefore think it is necessary to involve the local MP (Ben Wallace) and others so they are aware of the intentions of Wyre Borough Council.

(ii)

I am very much in favour of trees and that is the reason I purchased the area only a few years ago. I still have to work under the original Woodland Grant Scheme rules and have no intention of cutting down or damaging the woodland. The trees are the very reason I purchased the land.

With regard to the TPO Regulations (revised 2014) I see at paragraph 010 Ref ID: 36-010-20140306, it states

'Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order. For example, it is unlikely to be necessary to make an Order in respect of trees which are under good arboricultural or silvicultural management.'

As noted above, my purchase of the land was because of the very trees growing on it and the ongoing management obligations I have through the Forestry Commission (FC) are surely sufficient for any protection you feel is required. Even into the future I would have to apply to the FC for a felling licence if and when any felling is required.

You have never discussed with me any concerns you have and a meeting on site could have been very useful to allay your fears.

7.0 Response to Objections

7.1 (i)

The tree officer exercised judgement having regard to government guidance when deciding to make the TPO. A Tree Evaluation Method for Tree Preservation Orders (TEMPO) was undertaken on 17 June 2021 in respect of the TPO. The TEMPO comprised an amenity assessment in relation to the condition and suitability of the trees along with retention span, tree species, sizes of the trees included, life expectancy, public visibility, other factors and expediency. There is a perceived threat to trees. The TEMPO assessment showed the making of the TPO to be defensible and the TPO was made 'because expedient in the interest of amenity to protect the woodlands.

The TEMPO scoring also reflects the need for appropriate woodland management requirements.

For completeness, the TEMPO at Appendix 1 undertaken in relation to the TPO shows the amenity and expediency assessments for those aspects of the TPO.

7.2 Indicating that the site has been actively managed and will continue to be managed by thinning under a continuous cover silvicultural system does not provide the details of where, how often and to what extent. No felling licence from the Forestry Commission currently applies to the woodlands.

Where no felling licence is in place the works that a woodland proprietor could instruct for include thinning up to 5 cubic metres of growing trees per calendar quarter. Accordingly, such sporadic future thinning works comprising less than the felling licence threshold could take place within W1 and W2 uncontrolled by licence. In such circumstances there is no approval for thinning that ensures that it will accord with good forestry practice, will not lead to systematic clearance of an area and also will not result in a detrimental impact on amenity when viewing W1 and W2 from public right of way 2-22-FP 10 which runs from Ned's Lane along the lane to Bowses Hill Farm with W1 and W2 visible to the north and east. W1 and W2 are also visible when looking south east from Ned's Lane at the access point to the property Willow Bank, looking east from Ned's Lane at the access point to the lane to Bowses Hill Farm, also via glimpses to the east along Neds Lane.

- 7.3** There is a distinction between planned and agreed thinning works for good forestry practise alone, and thinning and crown raising works which it is noted to have taken place and could take place in the future with the dual interests of good practise and to facilitate glamping provision but which may adversely impact on amenity.
- 7.4** A standard felling licence provides a 5 years period to implement the works it approves and ensures compliance with the UK Forestry Standard. If a Forestry Standard compliant woodland management plan is produced, a felling licence can be issued for ten years. Felling licences are usually conditional with an expectation for restocking.
- 7.5** The Forestry Act 1967 provides that if an application is made for a felling licence in respect of trees subject to a tree preservation order and consent under the Tree Preservation Order Regulations would be required, then as part of the licence application process the Forestry Commission must consult with the local authority that made the tree preservation order. Forestry guidance provides that felling proposals should be in the spirit of maintaining a tree preservation order that is in place. If the local authority objects to the licence application, the matter will be determined under planning-related appeal processes. Further the Forestry Commission has the option of referring the application to the planning authority that made the tree preservation order to deal with under the planning legislation. Where the planning authority does not object and the Forestry Commission grants a felling licence under the Forestry Act 1967 the local authority's further consent under the tree preservation order is not required providing that the works are in compliance with the felling licence. The legislation therefore balances the relationship between planning and forestry controls.
- 7.6** If the TPO is confirmed, an application for consent regarding TPO tree works including justification, a related schedule and plan would continue to be required for consideration in the absence of consent under a felling licence. The TPO is a means of ensuring that thinning works under 5 cubic metres per calendar quarter are in accordance with good forestry practice to protect the trees and do not accumulate to a detrimental impact on amenity.

- 7.7** Removal of ash trees to address the spread of Ash Dieback Disease may be permissible by the Forestry Commission as an exception from the need to gain consent under a formal felling licence providing that the Forestry Commission are supplied with the details in advance, such as a location plan, numbers of trees, sizes and images of evidence and agree the proposed works. Copying in the local authority in these circumstances would be likely to be sufficient for TPO record purposes and agreement.
- 7.8** Tree works to provide clearance and maintenance of utility apparatus such as power lines usually meet with statutory exception from the need to apply for TPO tree works and exemption from the requirement to gain consent under a felling licence. Such works are usually organised by utilities companies under shut down or live works dependent on the circumstances. In either case advance notice to the local authority and the Forestry Commission is typically provided by the utilities company.
- 7.9** TPOs are made on a case by case basis. The making of this particular TPO does not set a precedent in regard to other tree plantations under EWGS each of which would be considered under their own merit.

(ii)

A Land Registry check made on 15 March 2021 shows that the current proprietor purchased the property on 3 December 2020.

Future thinning activities with the interests of good practice and to facilitate glamping provision, if unregulated by the mechanisms of tree preservation order and / or felling license, are liable to result in detriment to amenity. In all the circumstances, officer view is that it is expedient in the interests of amenity to make W1 and W2 subject of a confirmed tree preservation order.

Just before the site meeting of 17 June 2021 concluded, the tree officer informed the proprietor that it was likely that a tree preservation order would be created in relation to W1 and W2.

Advice pertaining to Planning Committee and its procedures along with a copy of this report relating to the TPO have been forwarded to the objectors in reasonable advance of the meeting of Planning Committee on 6 October 2021.

Concluding remarks

It is considered that the TPO has been properly made in the interests of securing the contribution and benefit that the TPO applies to the public amenity in the area. The TPO protects important elements of the local landscape and contributes to the local environment. W1 and W2 presently protected by the TPO have been assessed in a structured and consistent way using an approved method.

It is considered that the procedural requirements of the legislation have been followed in the creation of the TPO and determinations made using a widely accepted method which includes expediency assessments has occurred in this case. Having regard to the legislation and the Government Guidance, it is considered that the TPO is fully justified in all respects and should be confirmed.

Financial and Legal Implications	
Finance	None.
Legal	Before confirming a Tree Preservation Order, the Local Planning Authority must consider any objections/representations made within the 28-day objection period. If, having considered any objections/representations received, the Local Planning Authority is satisfied that the tree merits a TPO; it may confirm the Order under the Town and Country Planning Act 1990 and supporting Regulations. The LPA may also confirm an Order in modified form, revoke it, or allow it to lapse. However it cannot add to the Schedule references to a tree to which the Order did not previously apply. There is no right of appeal to the Secretary of State, but a challenge may be made to the High Court on a point of law.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with an x.

implications	✓ / x
community safety	x
equality and diversity	x
sustainability	✓
health and safety	x

risks/implications	✓ / x
asset management	X
climate change	✓
data protection	X

report author	telephone no.	email	Date
Ryan Arrell BSc (Hons), HND, LANTRA qualified	01253 887614	Ryan.Arrell@wyre.gov.uk	23 September 2021

professional tree inspector.			
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List of background papers:		
name of document	date	where available for inspection
Wyre Council TPO 8 of 2021	23 September 2021	Room 134 or by email to Tree Officer.

List of Appendices

Appendices:

- 1 –TEMPO survey data sheet and also images of W1 and W2.
- 2 –TPO plan and aerial image displaying TPO and public right of way.
- 3 – Redacted copies of letters of objection and also redacted e-mails of representation.

References List

Tree Preservation Orders and trees in Conservation Areas. GOV.UK, (2014) Accessed Via <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

(TEMPO) Tree Evaluation Method for Preservation Orders
<http://www.flac.uk.com/wp-content/uploads/2014/12/TEMPO-GN.pdf>

Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Appendix 1

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17 June 21 Surveyor: R. Arrell

Tree details
 TPO Ref (if applicable):
 Owner (if known):

woodland
 Tree Group No: pk 2 Species: Broadleaved
 Location: at Bowses Hill Farm, Stalmire

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes

3

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

4

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes

3

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes

1

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes

2

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:

13

Decision: make TPO
TPO defensible

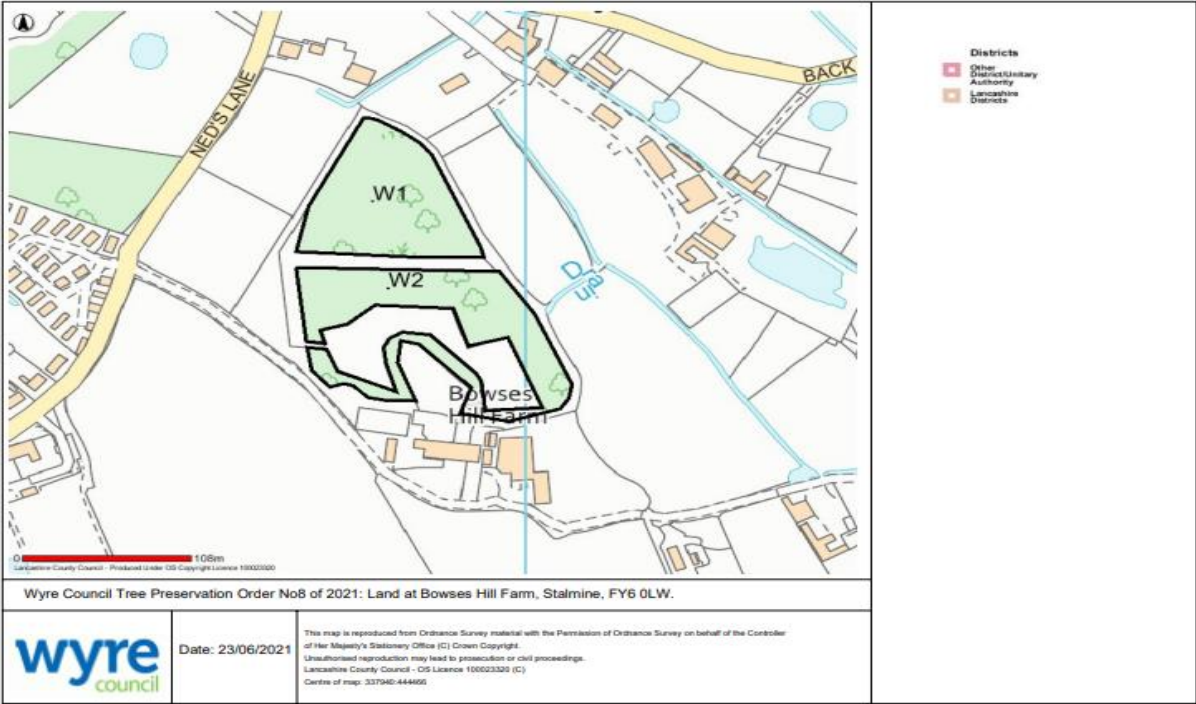


A view of HV power lines with W1 and W2 to either side.



A view from within W1.

Appendix 2



Appendix 3

(I) Objection received on 27 July 2021.

OBJECTION TO TREE PRESERVATION ORDER NO.8 OF 2021

LAND AT BOWSES HILL FARM, STALMINE FY6 0LW

As agents acting on behalf of _____ of Bowses Hill Farm, we write to object in the strongest possible terms to Wyre Borough Council Tree Preservation Order No.8 of 2021 on the following basis:

1. The reason provided for placing a TPO on the site states 'we made this order because it is expedient in the interest of amenity'. Further site specific justification was requested from Mr Arrell as Tree Officer at Wyre Council, on 21st and 22nd July 2021. Mr Arrell's response was to provide only a copy of the TPO referring to the 'expedient interest of amenity' and reference to standard government guidance on TPOs. This is not helpful nor does it explain the rationale as to why the Order is proposed.

2. The area mapped for a blanket TPO is a young plantation that was created under a Forestry Commission Woodland Grant Scheme (WGS), dated 03/12/2003. The undertaking of the scheme requires areas of converted land with more than 50% broad-leaved trees to be maintained in accordance with good forestry practice, to the satisfaction of the secretary of state, for a period of 30 years. This obligation is therefore in place across the land until 2033. The trees will be well established by then. In addition, the WGS paperwork confirms 'Management of the woodland after establishment will be by thinning'. Management of the site by thinning means that the site will be managed under a continuous cover silvicultural system, rather than clear felling, as encouraged by the UK Forestry Standard. The visual impact from the passing public footpath will therefore be retained regardless of the TPO.

3. It is clear that the site has been actively managed to date to promote tree growth and good timber quality which all in aligns with good forestry practice. Evidence of crown lifting can be seen across the area in order to increase the amount of light reaching the forest floor and subsequently promote natural regeneration, again in accordance with the UK Forestry Standard. A very detailed site survey would be required marking every tree to ensure my client is not prosecuted for any works that were carried out prior to the TPO. This survey and resulting TPO would be a needless and a significant expense for Wyre Borough Council which effectively sterilises the good management of the land for absolutely no reason.

4. It should be noted that prior to the tree planting scheme in 2003-04 this was a standard agricultural field with overhead powerlines. The amenity has been significantly enhanced by the management to date.

5. As the site is now an established designated woodland, section 9 of the Forestry Act 1967 is applicable. This requires the landowner to apply for, and receive approval for, a felling licence from the Forestry Commission prior to carrying out any works that fall outside of the standard exceptions. This is an obligation that cannot be avoided and nor does our client wish to avoid it.

6. There are powerlines running through the site that lie outside of the planted area and TPO site. However, as the area matures in future years it may be necessary to carry out works within the proposed TPO area as a safety precaution, to prevent trees

potentially falling on the powerline. This would not be permitted under the proposed TPO without detailed consent.

7. As mentioned above the woodland is required to be managed in accordance with good forestry practice, will be managed under a continuous cover system, and a felling licence will be required before any significant felling works can be carried out. How is this to be dealt with once a blanket TPO is in place?

8. All trees on site are young stock, many have Ash Dieback, and there are no trees of individual significance. Consequently, those with Ash Dieback need to be removed (a requirement of the Forestry Commission) and there is absolutely no necessity for a TPO on the balance of the land.

9. Enforcing a TPO will also prevent my client from carrying out good forestry practice works within a timely and cost-effective manner. Thinning works would be to the benefit of the woodland, but on a woodland of this size and nature is generally a cost neutral exercise. The TPO would require consent from Wyre Borough Council for cutting down, topping, or lopping. It is completely irrational to require two levels of permission as any felling works would require consent from both 1) Wyre Council and 2) the Forestry Commission. This is completely unnecessary. As for works required to the adjacent powerlines, consent would be required from 1) Wyre Borough Council 2) the Forestry Commission, and 3) the relevant Electricity Board. This is ridiculous.

10. The 'amenity value' of the woodland is purely due to the woodland management that has taken place to date. The owners are keen environmentalists and wish to continue management and establishment of the woodland and in doing so further enhance its amenity value. However, increasing the number of required consents for any works will make elements of woodland management unviable and decrease the likelihood of a successful continuous cover silvicultural system. Ultimately, a TPO on the site would have the opposite effect of its intention and a negative impact on its amenity value. If it is the proposal going forward that all tree plantations under a Woodland Grant Scheme to be covered by a TPO, I feel the wider Government aim of planting 30,000 hectares of trees before the end of this Parliament will not be achieved (that is 7,000 hectare per year to 2024 alongside new initiatives to improve the health of trees, create more woodlands in cities, and deliver thousands of green jobs as we build back greener from the pandemic). I therefore think it is necessary to involve the local MP (Ben Wallace) and others so they are aware of the intentions of Wyre Borough Council. We note the date to respond by is the 3rd August 2021, and therefore although there is little time remaining, we would appreciate a response prior to this correspondence and a decision being made.

(ii) Objection received on 28 July 2021.

I am very much in favour of trees and that is the reason I purchased the area only a few years ago. I still have to work under the original Woodland Grant Scheme rules and have no intention of cutting down or damaging the woodland. The trees are the very reason I purchased the land.

With regard to the TPO Regulations (revised 2014) I see at paragraph 010 Ref ID: 36-010-20140306, it states

'Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order. For example, it is unlikely to

be necessary to make an Order in respect of trees which are under good arboricultural or silvicultural management.'

As noted above, my purchase of the land was because of the very trees growing on it and the ongoing management obligations I have through the Forestry Commission (FC) are surely sufficient for any protection you feel is required. Even into the future I would have to apply to the FC for a felling licence if and when any felling is required.

You have never discussed with me any concerns you have and a meeting on site could have been very useful to allay your fears.

Representations made after expiry of objections and representations period.

01 September 2021

I would like to add my voice in support of any planning restriction enforcements on temporary order TPO8 of 2021, at Bowses Hill Farm, Neds Lane, FY60LW, and hopefully help to make the decision on the planning order a permanent one. The residents in this area were horrified at the damage done to the environment and the fact that no planning permission was sought before any action was taken, which bodes badly for any future safety of the remaining woodland there.

As you will know, quite a lot of woodland has been demolished during the building of this unauthorised "glamping/camping site", and I'm sure much wild life has been disturbed and forced from its natural habitat. As the situation stands at the moment it is possible that if this order isn't made permanent much more woodland will be destroyed in order to further expand the unauthorised camping site at the end of the 56 days allotted by the Government. Please raise my objections at the next planning meeting when this matter is discussed, and please notify me of the final outcome.

Thank you for your help so far, and I hope for success in blocking any further massacre of our natural woodland which is home to so much of our native wildlife species.

02 September 2021

I would like it know that I would like this TPO to become permanent rather than temporary in fact I would like the whole of the woodland to be considered as a conservation area if possible, to avoid any more damage to the trees or wildlife within the woodlands as no ecology survey or biodiversity survey was undertaken before removing trees in perfectly good health and no consideration for the wildlife which could include many endangered species of reptiles such as great crested newts, bats, owls all for the land to be turned into a campsite with no planning permission applied for or granted, permitted development rights say you can use your land this year for up to 56 days but then the land must be returned to how it was originally which in the case of this is a little to late for the trees already removed and with all the constant fires and BBQs burning is neither good for the wildlife nor the trees remaining so hopefully we can protect and save what is left.

06 September 2021

I am writing to ask you to consider making the above TPO permanent on the above land, if possible could this also be made into a conservation area to ensure the woodland is not further harmed by the removal of more trees.

The woodland has had many trees removed already before any ecology or biodiversity report has taken place to make way for a camp site.

There was many endangered species living in the woodland which have not been taken into consideration such as great crested newts, owls, bats and other reptiles.

The camp site was erected under permitted development rights and for this year you were able to use the land for 56 days, this has now expired.

