

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

PLANNING COMMITTEE – TUESDAY, 10 APRIL 2018

Title of report	TO CONSIDER THE MAKING OF A TREE PRESERVATION ORDER ON LAND AT WILLESLEY PARK GOLF CLUB ASHBY DE LA ZOUC
Contacts	<p>Cllr Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Planning and Development Team Manager 01530 454668 chris.elston@nwleicestershire.gov.uk</p> <p>Tree Officer 01530 454683 julian.simpson@nwleicestershire.gov.uk</p>
Purpose of report	To consider the objection lodged by David Moreland, Director of Willesley Park Golf Club
Reason for Decision	A provisional TPO was made on 11 th October 2017. The TPO needs to be confirmed within six months. Trees will lose their protection if the TPO is not confirmed before 11 th April 2018.
Council Priorities	Homes and Communities Green Footprints
Implications:	
Financial/Staff	None
Link to relevant CAT	None
Risk Management	None
Equalities Impact Screening	Equality Impact Screening already undertaken, issues identified actioned.
Human Rights	Under the Human Rights Act, Article 8, there is a right to respect for private and family life, the home and correspondence. The making of a Tree Preservation Order potentially impacts on that right. However, in this case it is considered that the making of the Order is justified in the public interest.
Transformational Government	None

Comments of Head of Paid Service	Report is satisfactory
Comments of Section 151 Officer	Report is satisfactory
Comments of Monitoring Officer	Report is satisfactory
Consultees	People with a legal interest in the land affected by the Order have been consulted and members of the public were consulted by the placing of site notices.
Background papers	None
Recommendations	THAT THE TPO BE CONFIRMED.

1.0 INTRODUCTION AND BACKGROUND

- 1.1 Following a request made by residents at Willesley Close, a TPO assessment of trees on and near the 18th fairway was carried out in September 2017.
- 1.2 Trees on the 1st to 17th fairways are already protected by TPO T91 (1984) and TPO T154 (1989).
- 1.3 Residents were concerned about a club member consultation which indicated proposed construction of new dwellings on the 18th fairway which could result in the loss of mature specimen trees and a group of younger trees valuable for screening.
- 1.4 T1 is a large, aged Beech tree of considerable girth and age. T2–T4 are a mature Lime and two Sycamores which have been pollarded before which adds to their character, interest and value. All four trees contribute to the character and history of the immediate location and have a good life expectancy of between 20 and 100 years.
- 1.5 G1 is a group of young broadleaf and conifer trees near 22 Willesley Close which provide a valuable buffer between residential property and the golf course. The trees may need to be thinned out in future but the TPO does not prevent such appropriate management.
- 1.6 Whilst the trees have limited public visibility, all trees in the new TPO are as important as trees already protected. If the site was developed, the trees would have greater importance.

2.0 OBJECTIONS AND OFFICER COMMENTS

2.1 Summary of Representations Received

The Golf Club object to the TPO but have helpfully outlined their concerns.

The Club feels that:

The trees need to be managed for the safety of employees, members and neighbours which sometimes means immediate action to remove risks.

The club need to prune trees for safe visibility for players and to allow use of grass cutting equipment.

Flexibility is required to adjust the outline of the course and change the alignment of individual holes.

2.2 Officer comments

The objections do not justify trees not being protected by TPO because:

Works carried out to abate an imminent danger are exempt from the need for formal TPO application and therefore can be dealt with quickly by the club.

Works for visibility can be programmed and included within operations for the whole golf course as part of a management plan. The existing TPO's have not prevented works needed for visibility or maintenance and the new TPO would be no different.

No specific problems have been outlined with the play of the 18th hole and previous pruning operations which have allowed for tree retention could be continued.

The objection makes no reference to any proposed construction but confirms that the club consider the trees to be an important part of the course.

Following the objection received a site meeting has been arranged for the 6th April to help further discuss and advise upon works across the course.

2.3 Planning file

Members will note that full copies of correspondence received are available on the planning file.