

Agenda Item No 9

Planning and Development Board

22 May 2023

Tree Preservation Order Land East of Water Orton

Report of the Head of Development Control

1 Summary

- 1.1 This report informs Members of the action taken in respect of the making of an Emergency Tree Preservation Order, following the receipt of authority to serve under delegated powers, and seeks further confirmation of the action taken.

Recommendation to the Board

- a) That the Board confirms the action taken in the issue of an Emergency Tree Preservation Order for the protection of 15 trees on land to the west side of Water Orton.**
- b) That a further report considering confirmation of the Order be brought back to the Planning and Development Board following the passage of the opportunity for receipt of representations.**

2 Background and Statement of Reasons

- 2.1 Members will be aware that the western and southern edges of the settlement of Water Orton are currently the subject of much construction activity because of the development of the High Speed Two railway. Effects of the development are exacerbated by changes in the scheme which seek to extend the Bromford Tunnel such that it emerges on the western edge of the Borough at Water Orton.
- 2.2 The railway development resulted in the relocation of the Water Orton Primary School to a new location on Plank Lane, leaving the former site unoccupied and potentially free for development. The site is now allocated for housing development in the North Warwickshire Local Plan 2021 and has now been the subject of pre-application enquiry from a prospective developer.
- 2.3 Other land on the west side of Water Orton has also been the subject of speculative enquiries about the prospect of development, with a pre-application enquiry having been received for the land that lies between the Bromford Tunnel Portal / Attleboro Lane and Plank Lane, querying the prospect of development for the 'Erection of 140 dwellings and the provision of public open space, outdoor play

space, a wildlife area, a Children's Day Nursery, a Sports Club and commercial floorspace'. Whilst the enquirer has been advised that the development would be contrary to Green Belt policy, it nevertheless evidences that development aspirations exist and that there is a potential 'threat' from development.

- 2.4 Residents of Attleboro Lane, understandably, are seeking to protect as much of the character and amenity of the area as possible and have requested that Officers consider a request to extend protections to trees in the locality. Whilst they have indicated that they support measures to extend the Conservation Area around The Green, they feel that further protections should be afforded to other substantial and attractive trees that characterise the area.
- 2.5 Officers recognise the effects of development on this locality and endorse that it is desirable to seek to protect its character and appearance. The County Forestry Officer was therefore commissioned to undertake a TEMPO assessment of the trees in the area shown in Image 1 below.

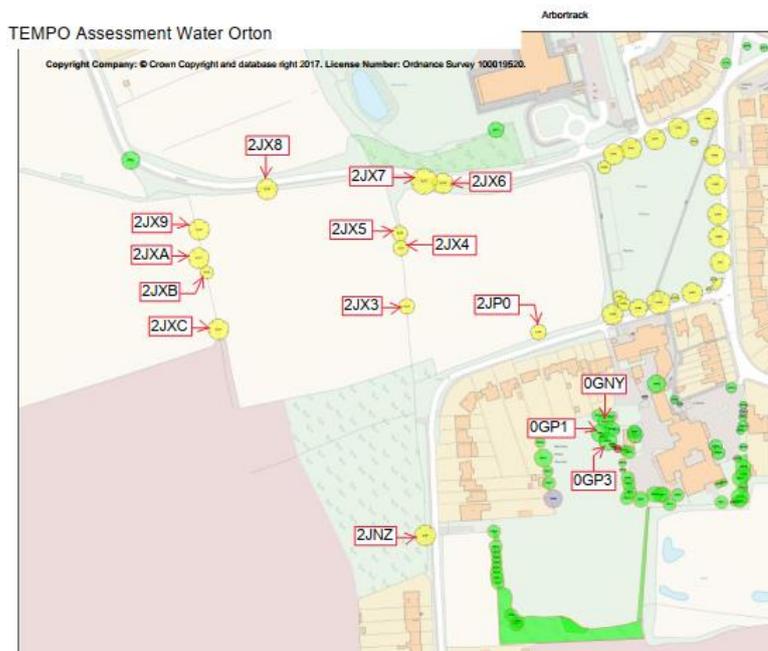


Image 1

- 2.6 The TEMPO Assessment considers the value of the trees, based on a number of factors including amenity value, retention span, relative public visibility, other issues and expediency assessment. Based on this the maximum score is 25. If a tree scores more than 16, it is considered worthy of being protected. Details of the trees that are proposed to be protected (comprising photographs, TEMPO Assessments and Arbotrack Reports) are set out in Appendix 1.
- ...
- 2.7 The trees grouped in a broadly U-shape around The Green (in Image 1) would be afforded protection from the proposed Conservation Area Extension.
- 2.8 Other Trees on this side of Water Orton already benefit from Tree Preservation Order Protection from a number of pre-existing orders (area shown edged red in Image 2 below).

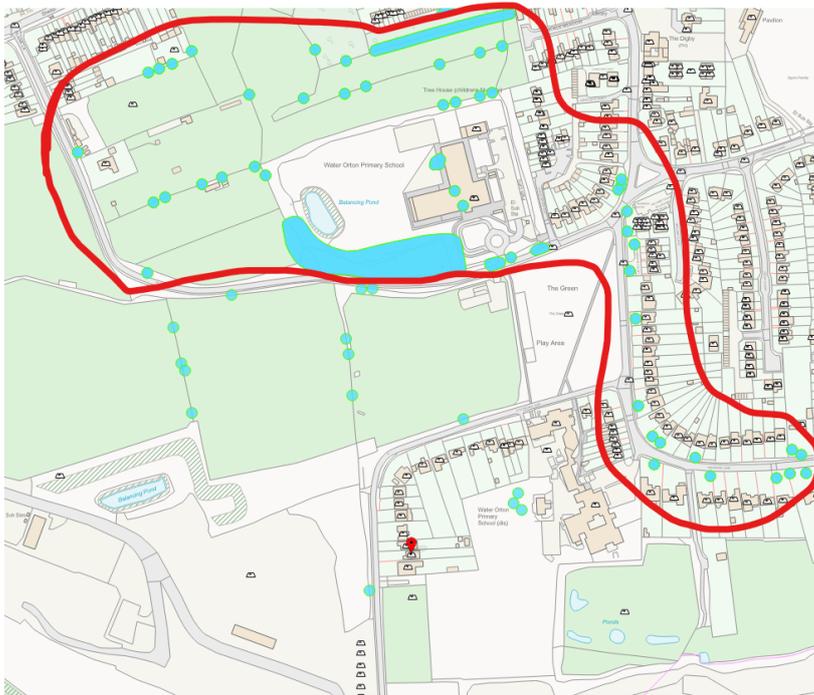


Image 2

2.9 Given the known potential threat from development and given the contribution made by the identified trees to the character and amenity value of the locality, it is recommended that a Tree Preservation Order is made, as shown in Image 3 below.

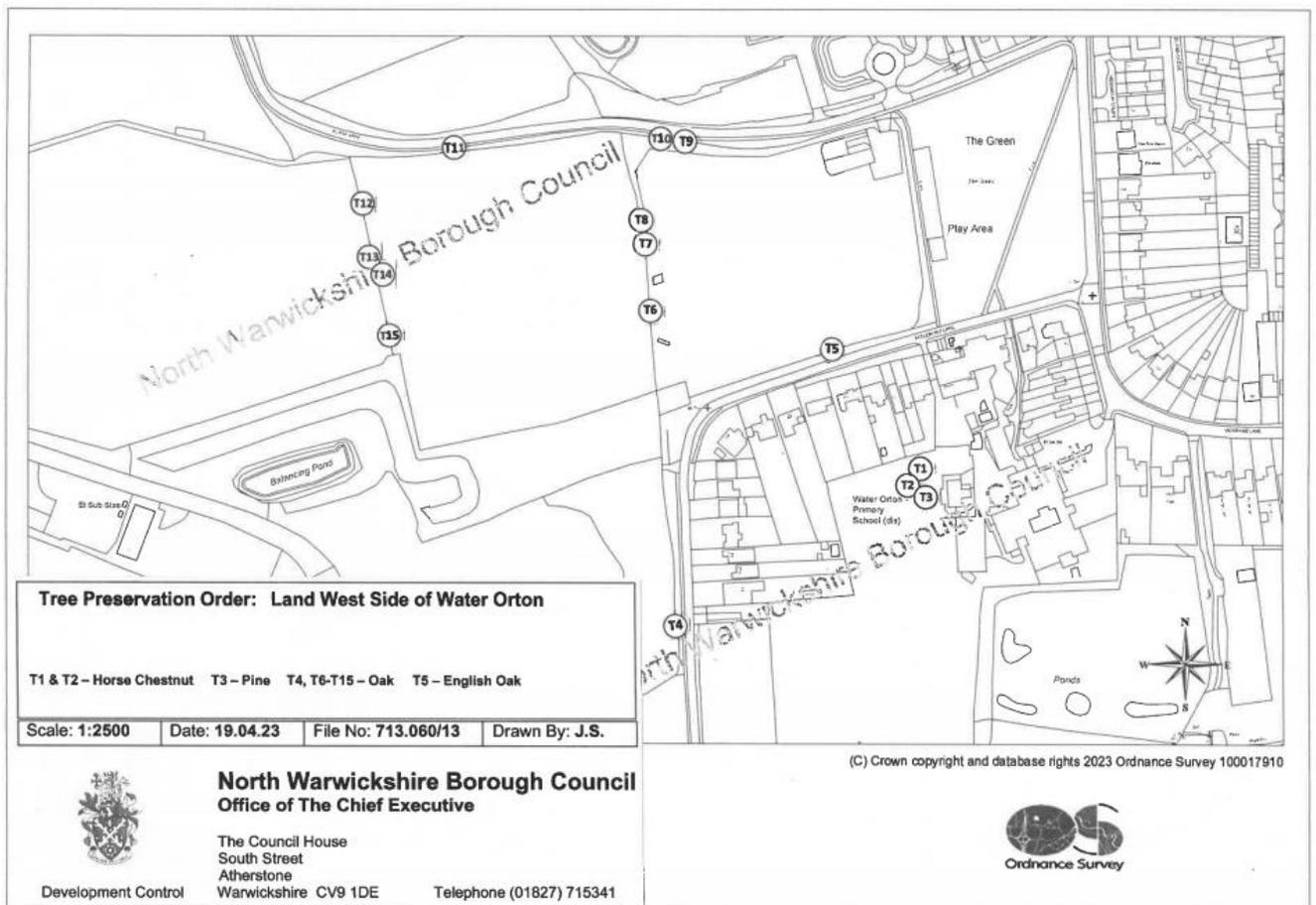


Image 3

3 Report Implications

3.1 Financial and Value for Money Implications

- 3.1.1 There are no implications in making this Order, but if confirmed, then there may be implications, in that compensation may be payable, if Consent is refused for works to a protected tree.

3.2 Legal and Human Rights Implications

- 3.2.1 The owners of the land and those with an interest in it, will now have the opportunity to make representations to the Council before the Order is confirmed.

3.3 Environment and Sustainability Implications

- 3.3.1 The trees to be protected exhibit amenity value for both the present and the future amenities of the area, given its appearance and prominence in the street scene.

The Contact Officer for this report is Erica Levy (719294).

OGNY (T1)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 0GNY Species: Horse Chestnut
Owner (if known):	Location: Water Orton Primary School (historic) Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

5) Good 3) Fair/satisfactory 1) Poor 0) Dead/dying/dangerous* * Relates to existing context and is intended to apply to severe irremediable defects only	Highly suitable Suitable Unlikely to be suitable Unsuitable	Score & Notes 3
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b) Retention span (in years) & suitability for TPO

5) 100+ 4) 40-100 2) 20-40 1) 10-20 0) <10* *Includes trees which are an existing or near future nuisance, including those <u>clearly</u> outgrowing their context, or which are significantly negating the potential of other trees of better quality	Highly suitable Very suitable Suitable Just suitable Unsuitable	Score & Notes 4
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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
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d) Other factors

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

5) Principal components of formal arboricultural features, or veteran trees 4) Tree groups, or principal 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) -1) Trees with poor form or which are generally unsuitable for their location	Score & Notes 4
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Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

5) Immediate threat to tree inc. s.211 Notice 3) Foreseeable threat to tree 2) Perceived threat to tree 1) Precautionary only	Score & Notes 2
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Part 3: Decision guide

Any 0 1-6 7-11 12-15 16+	Do not apply TPO TPO indefensible Does not merit TPO TPO defensible Definitely merits TPO	Add Scores for Total: 16	Decision: Yes TPO
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Unique ID: 0GNY
Education
Aesculus hippocastanum
W3W: pies.jars.pinch

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	14-Apr-2023
Trunk Type	Single
Age	Semi mature
Condition	Good
Proximity	As per map
Street	Water Orton Primary School
Area	North Warwickshire Borough
Sub Area	Water Orton
Tag	[[EDUNorth-01571]]
Stem Diameter	45 - 55cm
Spread	10 - 12m
Height	12 - 14m
Category	D
Committee	Education
Site	Grass

Species	
Count	1
Vegetation Type	Broadleaf
Species	Aesculus hippocastanum

OGP1 (T2)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 0GP1 Species: Horse Chestnut
Owner (if known):	Location: Water Orton Primary School (historic) Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

Score & Notes	3
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* Relates to existing context and is intended to apply to severe irremediable defects only

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 |

Score & Notes	4
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*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

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 | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes	3
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d) Other factors

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

- | | |
|--|---|
| 5) Principal components of formal arboricultural features, or veteran trees | 4 |
| 4) Tree groups, or principal 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) | |
| -1) Trees with poor form or which are generally unsuitable for their location | |

Score & Notes	4
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Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|---|---|
| 5) Immediate threat to tree inc. s.211 Notice | 2 |
| 3) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Score & Notes	2
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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:	16	Decision:
		Yes TPO

Unique ID: 0GP1
Central Properties
Aesculus hippocastanum
W3W: gums.crib.belt

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	14-Apr-2023
Trunk Type	Single
Age	Semi mature
Condition	Reasonable
Proximity	As per map
Street	Water Orton Primary School
Area	North Warwickshire Borough
Sub Area	Water Orton
Tag	[[EDUNorth-01574]]
Stem Diameter	45 - 55cm
Spread	12 - 14m
Height	12 - 14m
Category	
Committee	Central Properties
Site	Grass

Species	
Count	1
Vegetation Type	Broadleaf
Species	Aesculus hippocastanum

OGP3 (T3)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 0GP3 Species: Pine
Owner (if known):	Location: Water Orton Primary School (historic) Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

5) Good 3) Fair/satisfactory 1) Poor 0) Dead/dying/dangerous*	Highly suitable Suitable Unlikely to be suitable Unsuitable	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="text-align: center; vertical-align: middle; font-size: 24px;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			

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

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

5) 100+ 4) 40-100 2) 20-40 1) 10-20 0) <10*	Highly suitable Very suitable Suitable Just suitable Unsuitable	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="text-align: center; vertical-align: middle; font-size: 24px;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			

*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

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	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="text-align: center; vertical-align: middle; font-size: 24px;">3</td> </tr> </table>	Score & Notes	3
Score & Notes	3			

d) Other factors

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

5) Principal components of formal arboricultural features, or veteran trees 4) Tree groups, or principal 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) -1) Trees with poor form or which are generally unsuitable for their location	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="text-align: center; vertical-align: middle; font-size: 24px;">3</td> </tr> </table>	Score & Notes	3
Score & Notes	3		

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

5) Immediate threat to tree inc. s.211 Notice 3) Foreseeable threat to tree 2) Perceived threat to tree 1) Precautionary only	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="text-align: center; vertical-align: middle; font-size: 24px;">1</td> </tr> </table>	Score & Notes	1
Score & Notes	1		

Part 3: Decision guide

Any 0 1-6 7-11 12-15 16+	Do not apply TPO TPO indefensible Does not merit TPO TPO defensible Definitely merits TPO	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Add Scores for Total:</td> <td style="text-align: center; vertical-align: middle; font-size: 24px;">17</td> </tr> </table>	Add Scores for Total:	17	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Decision:</td> <td style="text-align: center; vertical-align: middle; font-size: 24px;">Yes TPO -</td> </tr> </table>	Decision:	Yes TPO -
Add Scores for Total:	17						
Decision:	Yes TPO -						

Unique ID: 0GP3
Central Properties
Pinus radiata
W3W: kicks.seats.rigid

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	14-Apr-2023
Trunk Type	Single
Age	Mature
Condition	Good
Proximity	As per map
Street	Water Orton Primary School (historic)
Area	North Warwickshire Borough
Sub Area	Water Orton
Tag	[[EDUNorth-01576]]
Stem Diameter	55 - 65cm
Spread	12 - 14m
Height	16 - 18m
Category	
Committee	Central Properties
Site	Grass

Species	
Count	1
Vegetation Type	Conifer
Species	Pinus radiata



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023 Surveyor: Matthew Alford

Tree details
 TPO Ref (if applicable): Tree/Group No: 2JNZ Species: Oak
 Owner (if known): Location: Attleboro Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

Score & Notes
5

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

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

Score & Notes
5

*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

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 Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes
5

d) Other factors

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

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal 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)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes
5

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 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:
22

Decision:
Yes TPO

Unique ID: 2JNZ

Private

Quercus robur

W3W: digits.under.tells

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Attleboro Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	75 - 85cm
Spread	14 - 16m
Height	12 - 14m
Category	
Committee	Private
Site	Verge/Ditch

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JP0 Species: English Oak
Owner (if known):	Location: Attleboro Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

Score & Notes	3
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* Relates to existing context and is intended to apply to severe irremediable defects only

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 |

Score & Notes	4
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*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

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 | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes	4
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d) Other factors

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

- | |
|--|
| 5) Principal components of formal arboricultural features, or veteran trees |
| 4) Tree groups, or principal 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) |
| -1) Trees with poor form or which are generally unsuitable for their location |

Score & Notes	4
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Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | |
|---|
| 5) Immediate threat to tree inc. s.211 Notice |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes	2
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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:	17
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Decision:	Yes TPO
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Unique ID: 2JP0

Private

Quercus robur

W3W: enjoy.garden.proven

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Attleboro Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	65 - 75cm
Spread	10 - 12m
Height	08 - 10m
Committee	Private
Site	Verge/Ditch

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

2JX3 (T6)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JX3 Species: Oak
Owner (if known):	Location: Attleboro Lane/Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

5) Good	Highly suitable	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			
3) Fair/satisfactory	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				

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

5) 100+	Highly suitable	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			
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

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	Highly suitable	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			
4) Large trees, or medium trees clearly visible to the public	Suitable			
3) Medium trees, or large trees with limited view only	Suitable			
2) Young, small, or medium/large trees visible only with difficulty	Barely suitable			
1) Trees not visible to the public, regardless of size	Probably unsuitable			

d) Other factors

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

5) Principal components of formal arboricultural features, or veteran trees	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes		5	
4) Tree groups, or principal 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)			

-1) Trees with poor form or which are generally unsuitable for their location

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

5) Immediate threat to tree inc. s.211 Notice	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">2</td> </tr> </table>	Score & Notes	2
Score & Notes		2	
3) Foreseeable threat to tree			
2) Perceived threat to tree			
1) Precautionary only			

Part 3: Decision guide

Any 0	Do not apply TPO	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Add Scores for Total:</td> <td style="width: 40%; text-align: center;">22</td> </tr> </table>	Add Scores for Total:	22	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Decision:</td> <td style="width: 40%; text-align: center;">Yes TPO</td> </tr> </table>	Decision:	Yes TPO
Add Scores for Total:	22						
Decision:	Yes TPO						
1-6	TPO indefensible						
7-11	Does not merit TPO						
12-15	TPO defensible						
16+	Definitely merits TPO						

Unique ID: 2JX3

Private

Quercus robur

W3W: leap.stole.suffice

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Attleboro Lane/Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	45 - 55cm
Spread	10 - 12m
Height	10 - 12m
Committee	Private
Site	Verge/Ditch

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

Comment	
Surveyor	Matthew Alford
Comment Date	14-Apr-2023
Comment	estimated sizes due to access constraints

2JX4 (T7)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JX4 Species: Oak
Owner (if known):	Location: Attleboro Lane/Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

Score & Notes	3
--------------------------	---

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

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 |

Score & Notes	5
--------------------------	---

*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

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 | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes	5
--------------------------	---

d) Other factors

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

- | |
|--|
| 5) Principal components of formal arboricultural features, or veteran trees |
| 4) Tree groups, or principal 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) |
| -1) Trees with poor form or which are generally unsuitable for their location |

Score & Notes	5
--------------------------	---

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | |
|---|
| 5) Immediate threat to tree inc. s.211 Notice |
| 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:
20

Decision:
Yes TPO

Unique ID: 2JX4

Private

Quercus robur

W3W: margin.butter.banks

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Attleboro Lane/Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	45 - 55cm
Spread	10 - 12m
Height	10 - 12m
Committee	Private
Site	Verge/Ditch

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

2JX5 (T8)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JX5 Species: Oak
Owner (if known):	Location: Attleboro Lane/Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

Score & Notes	3
--------------------------	---

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

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 |

Score & Notes	5
--------------------------	---

*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

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 | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes	5
--------------------------	---

d) Other factors

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

- | | |
|--|---|
| 5) Principal components of formal arboricultural features, or veteran trees | 5 |
| 4) Tree groups, or principal 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) | |
| -1) Trees with poor form or which are generally unsuitable for their location | |

Score & Notes	5
--------------------------	---

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|---|---|
| 5) Immediate threat to tree inc. s.211 Notice | 2 |
| 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:	Decision:
20	Yes TPO

Unique ID: 2JX5

Private

Quercus robur

W3W: combining.coins.form

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Attleboro Lane/Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	55 - 65cm
Spread	10 - 12m
Height	10 - 12m
Committee	Private
Site	Verge/Ditch

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

Comment	
Surveyor	Matthew Alford
Comment Date	17-Apr-2023
Comment	sizes estimated due to access constraints

2JX6 (T9)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JX6 Species: Oak
Owner (if known):	Location: Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

Score & Notes	5
--------------------------	---

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

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 |

Score & Notes	5
--------------------------	---

*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

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 | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes	5
--------------------------	---

d) Other factors

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

- | | | | |
|--|---|--------------------------|---|
| 5) Principal components of formal arboricultural features, or veteran trees | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="text-align: center; vertical-align: middle;">5</td> </tr> </table> | Score & Notes | 5 |
| Score & Notes | | 5 | |
| 4) Tree groups, or principal 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) | | | |

-1) Trees with poor form or which are generally unsuitable for their location

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | | | |
|---|---|--------------------------|---|
| 5) Immediate threat to tree inc. s.211 Notice | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="text-align: center; vertical-align: middle;">2</td> </tr> </table> | Score & Notes | 2 |
| Score & Notes | | 2 | |
| 3) Foreseeable threat to tree | | | |
| 2) Perceived threat to tree | | | |
| 1) Precautionary only | | | |

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:	22
------------------------------	----

Decision:	Yes TPO
------------------	---------

Unique ID: 2JX6
Not determined
Quercus robur
W3W: harsh.down.bunk

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	120 - 130cm
Spread	14 - 16m
Height	12 - 14m
Committee	Not determined
Site	Hedgerow

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

2JX7 (T10)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JX7 Species: Oak
Owner (if known):	Location: Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

5) Good	Highly suitable	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			
3) Fair/satisfactory	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				

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

5) 100+	Highly suitable	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			
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 <u>clearly</u> outgrowing their context, or which are significantly negating the potential of other trees of better quality				

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	Highly suitable	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			
4) Large trees, or medium trees clearly visible to the public	Suitable			
3) Medium trees, or large trees with limited view only	Suitable			
2) Young, small, or medium/large trees visible only with difficulty	Barely suitable			
1) Trees not visible to the public, regardless of size	Probably unsuitable			

d) Other factors

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

5) Principal components of formal arboricultural features, or veteran trees	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes		5	
4) Tree groups, or principal 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)			
-1) Trees with poor form or which are generally unsuitable for their location			

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

5) Immediate threat to tree inc. s.211 Notice	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">2</td> </tr> </table>	Score & Notes	2
Score & Notes		2	
3) Foreseeable threat to tree			
2) Perceived threat to tree			
1) Precautionary only			

Part 3: Decision guide

Any 0	Do not apply TPO	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Add Scores for Total:</td> <td style="width: 40%; text-align: center;">22</td> </tr> </table>	Add Scores for Total:	22	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Decision:</td> <td style="width: 40%; text-align: center;">Yes TPO</td> </tr> </table>	Decision:	Yes TPO
Add Scores for Total:	22						
Decision:	Yes TPO						
1-6	TPO indefensible						
7-11	Does not merit TPO						
12-15	TPO defensible						
16+	Definitely merits TPO						

Unique ID: 2JX7
Not determined
Quercus robur
W3W: robot.loves.flap

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Late mature
Condition	Reasonable
Proximity	As per map
Street	Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	150 - 160cm
Spread	18 - 20m
Height	18 - 20m
Committee	Not determined
Site	Hedgerow

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

2JX8 (T11)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JX8 Species: Oak
Owner (if known):	Location: Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

Score & Notes	5
--------------------------	---

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

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 |

Score & Notes	5
--------------------------	---

*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

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 | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes	5
--------------------------	---

d) Other factors

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

- | | | | |
|--|---|--------------------------|---|
| 5) Principal components of formal arboricultural features, or veteran trees | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="text-align: center; vertical-align: middle;">5</td> </tr> </table> | Score & Notes | 5 |
| Score & Notes | | 5 | |
| 4) Tree groups, or principal 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) | | | |
- 1) Trees with poor form or which are generally unsuitable for their location

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | | | |
|---|---|--------------------------|---|
| 5) Immediate threat to tree inc. s.211 Notice | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="text-align: center; vertical-align: middle;">2</td> </tr> </table> | Score & Notes | 2 |
| Score & Notes | | 2 | |
| 3) Foreseeable threat to tree | | | |
| 2) Perceived threat to tree | | | |
| 1) Precautionary only | | | |

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:	22
------------------------------	----

Decision:	Yes TPO
------------------	---------

Unique ID: 2JX8
Not determined
Quercus robur
W3W: wipes.engine.nearly

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	150 - 160cm
Spread	14 - 16m
Height	12 - 14m
Committee	Not determined
Site	Hedgerow

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

2JX9 (T12)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
------------------	--------------------------

Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JX9 Species: Oak
Owner (if known):	Location: Attleboro Lane/Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

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

Score & Notes	5
---------------	---

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

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 |

Score & Notes	5
---------------	---

*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

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 | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes	5
---------------	---

d) Other factors

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

- | |
|--|
| 5) Principal components of formal arboricultural features, or veteran trees |
| 4) Tree groups, or principal 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) |
| -1) Trees with poor form or which are generally unsuitable for their location |

Score & Notes	5
---------------	---

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | |
|---|
| 5) Immediate threat to tree inc. s.211 Notice |
| 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:	22
-----------------------	----

Decision:	Yes TPO
-----------	---------

Unique ID: 2JX9

Private

Quercus robur

W3W: wire.tries.wire

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Attleboro Lane/Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	85 - 100cm
Spread	14 - 16m
Height	12 - 14m
Committee	Private
Site	Hedgerow

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

2JXA (T13)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
------------------	--------------------------

Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JXA Species: Oak
Owner (if known):	Location: Attleboro Lane/Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

5) Good 3) Fair/satisfactory 1) Poor 0) Dead/dying/dangerous*	Highly suitable Suitable Unlikely to be suitable Unsuitable	Score & Notes <div style="font-size: 2em; font-weight: bold;">5</div>
--	--	---

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

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

5) 100+ 4) 40-100 2) 20-40 1) 10-20 0) <10*	Highly suitable Very suitable Suitable Just suitable Unsuitable	Score & Notes <div style="font-size: 2em; font-weight: bold;">5</div>
---	---	---

*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

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 <div style="font-size: 2em; font-weight: bold;">5</div>
--	---	---

d) Other factors

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

5) Principal components of formal arboricultural features, or veteran trees 4) Tree groups, or principal 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) -1) Trees with poor form or which are generally unsuitable for their location	Score & Notes <div style="font-size: 2em; font-weight: bold;">5</div>
--	---

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

5) Immediate threat to tree inc. s.211 Notice 3) Foreseeable threat to tree 2) Perceived threat to tree 1) Precautionary only	Score & Notes <div style="font-size: 2em; font-weight: bold;">2</div>
--	---

Part 3: Decision guide

Any 0	Do not apply TPO	Add Scores for Total:	Decision:
1-6	TPO indefensible	22	Yes TPO
7-11	Does not merit TPO		
12-15	TPO defensible		
16+	Definitely merits TPO		

Unique ID: 2JXA
Private
Quercus robur
W3W: polite.device.lift

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Attleboro Lane/Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	75 - 85cm
Spread	14 - 16m
Height	12 - 14m
Committee	Private
Site	Hedgerow

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

2JXB (T14)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
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Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JXB Species: Oak
Owner (if known):	Location: Attleboro Lane/Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

5) Good 3) Fair/satisfactory 1) Poor 0) Dead/dying/dangerous*	Highly suitable Suitable Unlikely to be suitable Unsuitable	Score & Notes <div style="font-size: 2em; font-weight: bold;">5</div>
--	--	---

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

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

5) 100+ 4) 40-100 2) 20-40 1) 10-20 0) <10*	Highly suitable Very suitable Suitable Just suitable Unsuitable	Score & Notes <div style="font-size: 2em; font-weight: bold;">5</div>
---	---	---

*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

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 <div style="font-size: 2em; font-weight: bold;">5</div>
--	---	---

d) Other factors

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

5) Principal components of formal arboricultural features, or veteran trees 4) Tree groups, or principal 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) -1) Trees with poor form or which are generally unsuitable for their location	Score & Notes <div style="font-size: 2em; font-weight: bold;">5</div>
--	---

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

5) Immediate threat to tree inc. s.211 Notice 3) Foreseeable threat to tree 2) Perceived threat to tree 1) Precautionary only	Score & Notes <div style="font-size: 2em; font-weight: bold;">2</div>
--	---

Part 3: Decision guide

Any 0 1-6 7-11 12-15 16+	Do not apply TPO TPO indefensible Does not merit TPO TPO defensible Definitely merits TPO	Add Scores for Total: <div style="font-size: 1.5em; font-weight: bold;">22</div>	Decision: Yes TPO
--------------------------------------	---	--	---------------------------------

Unique ID: 2JXB
Private
Quercus robur
W3W: skinny.exile.rapid

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Attleboro Lane/Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	55 - 65cm
Spread	08 - 10m
Height	08 - 10m
Committee	Private
Site	Hedgerow

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

2JXC (T15)



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 17/04/2023	Surveyor: Matthew Alford
------------------	--------------------------

Tree details	
TPO Ref (if applicable):	Tree/Group No: 2JXC Species: Oak
Owner (if known):	Location: Attleboro Lane/Plank Lane, Water Orton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

5) Good	Highly suitable	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			
3) Fair/satisfactory	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				

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

5) 100+	Highly suitable	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			
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				

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	Highly suitable	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes	5			
4) Large trees, or medium trees clearly visible to the public	Suitable			
3) Medium trees, or large trees with limited view only	Suitable			
2) Young, small, or medium/large trees visible only with difficulty	Barely suitable			
1) Trees not visible to the public, regardless of size	Probably unsuitable			

d) Other factors

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

5) Principal components of formal arboricultural features, or veteran trees	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">5</td> </tr> </table>	Score & Notes	5
Score & Notes		5	
4) Tree groups, or principal 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)			
-1) Trees with poor form or which are generally unsuitable for their location			

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

5) Immediate threat to tree inc. s.211 Notice	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Score & Notes</td> <td style="width: 40%; text-align: center;">2</td> </tr> </table>	Score & Notes	2
Score & Notes		2	
3) Foreseeable threat to tree			
2) Perceived threat to tree			
1) Precautionary only			

Part 3: Decision guide

Any 0	Do not apply TPO	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Add Scores for Total:</td> <td style="width: 40%; text-align: center;">22</td> </tr> </table>	Add Scores for Total:	22	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Decision:</td> <td style="width: 40%; text-align: center;">Yes TPO</td> </tr> </table>	Decision:	Yes TPO
Add Scores for Total:	22						
Decision:	Yes TPO						
1-6	TPO indefensible						
7-11	Does not merit TPO						
12-15	TPO defensible						
16+	Definitely merits TPO						

Unique ID: 2JXC

Private

Quercus robur

W3W: pens.pasta.sparks

Overview Photos



Inventory	
Surveyor	Matthew Alford
Inspection Date	17-Mar-2023
Trunk Type	Single
Age	Mature
Condition	Reasonable
Proximity	As per map
Street	Attleboro Lane/Plank Lane
Area	North Warwickshire Borough
Sub Area	Water Orton
Stem Diameter	75 - 85cm
Spread	14 - 16m
Height	12 - 14m
Committee	Private
Site	Hedgerow

Species	
Count	1
Vegetation Type	Broadleaf
Species	Quercus robur

Agenda Item No 10

Planning and Development Board

22 May 2023

Report of the
Head of Development Control

Tree Preservation Order
81 Austrey Road, Warton

1 Summary

- 1.1 The report seeks confirmation of action taken by the Chief Executive in respect of the making of a Tree Preservation Order for a London Plan tree at this address.

Recommendation to the Board

That the Board confirms the making of a Tree Preservation Order in respect of a London Plan tree at 81 Austrey Road, Warton.

2 Background

- 2.1 This is a large, detached house within a frontage of similar properties at the northern end of the village. The property has a large rear garden and there is a large mature Plane tree within it. The location is shown at Appendix A, with a photograph of the tree at Appendix B.
- ...
- ...
- 2.2 Officers were notified that the property had been placed on the market and there was concern that a developer might acquire the site as an opportunity for development given the size of the curtilage. The tree could therefore be considered to be under threat.
- 2.3 As a consequence, given the prominence of the tree, the County Forester was asked to assess it in respect of its health and condition with the view to looking to make a Protection Order. The response is at Appendix C, where it can be seen that the tree is healthy with longevity and because of its size and prominence, it would be worthy of an Order.
- ...
- 2.4 In light of this and because of the lapse of time until this, the next available Board meeting, consultation took place with the Chairman and the Opposition Planning Spokesperson together with the two local Members. It was agreed that an Order should be made, and the Chief Executive used his emergency powers to do so. The Order has since been served.

3 Observations

- 3.1 As Members are aware an Order can be made in the interests of amenity. Here the tree is very prominent given its size and that it stands alone in the open rear

garden. The professional arboricultural view is that the tree is in good condition and that it is worthy of an Order. It is considered that had the case been reported to the Board, that the Order would have been made.

- 3.2 Now that the Order has been made, the consultation process has commenced and Members will be able to review any comments at a later meeting when a report is brought to the Board to consider making to Order permanent.

4 Report Implications

4.1 Financial and Value for Money Implications

- 4.1.1 There are no implications in making the Order, but if confirmed, then there may be implications, in that compensation may be payable if Consent is refused for a future application for permission to undertake works to a protected tree.

4.2 Legal and Human Rights Implications

- 4.2.1 The Town and Country Planning Act 1990 states that a Tree Preservation Order may only be made when it is expedient to do so in the interests of amenity. Once an Order has been made the owners of the land and those with an interest in it will have the opportunity to make representations to the Council before the Order is confirmed.

4.3 Environment and Sustainability Implications

- 4.3.1 The tree to be protected exhibits amenity value for both the present and future amenities of the area given its appearance and prominence in the street scene.

The Contact Officer for this report is Jeff Brown (719310).



2JNX



TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 16/03/2023	Surveyor: Matthew Alford
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Tree details

TPO Ref (if applicable):

Tree/Group No: 2JNX Species: London Plane

Owner (if known):

Location: 81 Austrey Road, Warton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS**Part 1: Amenity assessment****a) Condition & suitability for TPO**

- | | | |
|--------------------------|-------------------------|-----------------------------------|
| 5) Good | Highly suitable | Score & Notes

5 |
| 3) Fair/satisfactory | 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

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

- | | | |
|-----------|-----------------|-----------------------------------|
| 5) 100+ | Highly suitable | Score & Notes

4 |
| 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**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 | Highly suitable | Score & Notes

5 |
| 4) Large trees, or medium trees clearly visible to the public | Suitable | |
| 3) Medium trees, or large trees with limited view only | Suitable | |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable | |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable | |

d) Other factors

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

- | | |
|--|-----------------------------------|
| 5) Principal components of formal arboricultural features, or veteran trees | Score & Notes

5 |
| 4) Tree groups, or principal 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) | |
| -1) Trees with poor form or which are generally unsuitable for their location | |

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|---|-----------------------------------|
| 5) Immediate threat to tree inc. s.211 Notice | Score & Notes

2 |
| 3) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Part 3: Decision guide

- | | | | |
|-------|-----------------------|--|---------------------------------|
| Any 0 | Do not apply TPO | Add Scores for Total:

21 | Decision:

Yes TPO |
| 1-6 | TPO indefensible | | |
| 7-11 | Does not merit TPO | | |
| 12-15 | TPO defensible | | |
| 16+ | Definitely merits TPO | | |

Agenda Item No 11

Planning and Development Board

22 May 2023

Report of the Head of Development Control

Proposed New Use Class

1 Summary

The report describes a consultation initiated by the Government to introduce a new Use Class for the “Short Term Lets” of residential property.

Recommendation to the Board

That the Report be noted and that a further report be brought to the Board in due course once final details governing the new Use Class are known.

2 Background

- 2.1 Members will be aware that the material change of use of land or a building, requires planning permission. That permission can be granted through the Use Classes Development Order, or expressly by a Local Planning Authority following the submission of a planning application. The Order defines a series of Use Classes. If the proposal involves a change within a certain Use Class, then that change is permitted by the Order – known as “permitted development”. If the proposed change would involve a move from one Use Class to another, then a full planning application would be needed, and the change would not be “permitted development”.
- 2.2 The residential use of a building falls within Use Class C3. At the present time, a house owner can make a property available for short-term letting without there being a change from the C3 Use Class to another. In other words, it is permitted development, not requiring a planning intervention.
- 2.3 The Government points to evidence of the high demand for visitor accommodation in the country’s main tourist areas which is currently met in part by such arrangements and to cases where property is let to visitors close to major sporting and musical events. Some homeowners too are “letting” their property whilst they have extended holidays.

- 2.4 The rise in short-term letting has led to high concentrations in coastal towns, national parks and in many cities. This in turn is impacting adversely on the availability and affordability of homes to buy or let for local people as well as on the sustainability of communities more broadly. There is evidence that local shops, schools, and other services suffer because of the lack of a permanent residential base as well as the lack of available housing for local employers who are trying to fill vacancies. Additionally, the Government has acknowledged that noise pollution and anti-social behaviour are often linked to such short term and holiday lets.
- 2.5 The Government has responded to this particular new activity by altering the tax regimes for both business rates and income tax, so that some properties and uses are now caught by different tax thresholds. There is also to be a new registration scheme - in effect a licensing arrangement – but the details are still under consideration.
- 2.6 The current paper looks at the role of planning in this issue.

3 **Proposals**

- 3.1 In short, the proposal is to introduce a new Use Class for Short Term Lets which would become Use Class C5. This would be defined as:
- “Use of a dwelling house that is not a sole or main residence for temporary sleeping accommodation for the purposes of holiday, leisure, recreation, business or other travel”.
- 3.2 If the change is introduced, then that from that date all residential property would either be a C3 property or a C5 property. As examples of the use of property, then if a home- owner lets out rooms to a lodger and the home remains the main residence of the owner, the property would stay in Use Class C3. If the property is the “second house” of the owner and is not his sole or main residence and he then lets out rooms whilst he is not there, that would fall under the new C5 Class – as the property is not a sole or main residence.
- 3.3 As with all of the Use Classes, the Order defines the conditions under which movement between them can be permitted development too. So, the Government is consulting on the potential conditions that would apply here – for a prospective move from C3 to C5.
- 3.4 The Government does not wish to “hinder” this move by what it sees as “red tape” and as it wishes to encourage and sustain business and tourist accommodation and employment, it is looking at a condition relating only to the total number of days in a year that a property is available to let – e.g. 30, 60 or 90. So, a move from C3 to C5 would be permitted development under whatever figure is decided but require a planning application if over that figure. The Government is also looking at other conditions such as the number of rooms let and removing the right for Listed Buildings.

- 3.5 The Government is not proposing that the permitted development right to move from C3 to C5 is withdrawn in National Parks or other tourist areas. It sees this as being too restrictive at a national level. As such, and in order to address the acknowledged problems described above, the Government is promoting greater use of Article Four Directions. These are made by Local Planning Authorities and remove defined permitted development rights from prescribed geographic areas. In other words, the paper is saying that the decision to remove these rights is up to each individual Local Planning Authority in making these Directions, as they will know the local situation and can respond accordingly.
- 3.6 In order to provide some weight to the use of these Directions, and particularly where there are local concentrations of short term let properties, the paper suggests that Local Planning Authorities and Neighbourhood Planning Groups, should set out relevant planning policies in their respective Plans, in order to outline in what circumstances, they would support the proposed new short term let Use Class and where they may not. This it is said would enable the local circumstances to be made explicit.

4 Observations

- 4.1 It is not considered that there is a major problem in the Borough arising from this particular use. Members will be aware that short-term letting has occurred when there have been major events at the NEC and particularly when there have been national golfing tournaments at the Borough's courses. However, these have been temporary and related to properties that are the main or sole residence of the owner. The cases that have been brought to the Board's attention are very few, but they are individual houses that are not main residences, and which have been let out for social and holiday use as a business. The proposed permitted development right to move from C3 to C5 would still allow these uses but limit their length. This is welcomed as an additional "control" but would still lead to issues about monitoring and gathering evidence to identify any breaches. The Use of Article Four Directions is unlikely to be significant in the Borough, unless there are recognisable distinct geographic areas and where there is robust evidence of adverse impacts arising in them. Moreover, a Direction cannot apply retrospectively. It only removes permitted development rights from the date on which it is made. Gathering sufficient robust evidence to support an anticipated "problem" at an individual address is thus not going to be straight forward.

5 Report Implications

5.1 Financial and Value for Money Implications

- 5.1.1 There would be no financial implication arising from the introduction of the new Use Class or in the making of Article Four Directions as this would be work undertaken from existing service budgets.

5.2 Environment and Sustainability Implications

- 5.2.1 The proposals are generally welcomed as they add to the measures that would be available to the Council to respond to any adverse impacts. The potential for introducing new planning policy to define the new use locally is a benefit.

5.3 **Legal and Human Rights Implications**

- 5.3.1 5.3.1 The making of an Article Four Direction to restrict permitted development rights being exercised once the amendments to the Order are made would need be considered against the evidence base for doing so and be the subject of balancing human rights and equality impacts where appropriate.

The Contact Officer for this report is Jeff Brown (719310).

Agenda Item No 12

Planning and Development Board

22 May 2023

**Report of the
Head of Development Control**

Appeal Update

1 Summary

1.1 The report updates Members on recent appeal decisions.

Recommendation to the Board

That the report be noted.

2 Appeal Decisions

Boulters Lane, Wood End

2.1 This appeal dealt with a small residential proposal but as an isolated development being a cul-de-sac off of another cul-de-sac extending into open countryside. The Inspector agreed with the Council that this amounted to the “creep” of development into the surrounding countryside. The conclusions reached by the Inspector are unusually forthright. The decision letter is at Appendix A.

3 Report Implications

3.1 Environment, Sustainability and Health Implications

3.1.1 The decision aligns with the policies set out in the Local Plan that are set out to achieve sustainable development and to protect the rural character of the Borough.

The Contact Officer for this report is Jeff Brown (719310).

Appeal Decision

Site visit made on 27 July 2022

by **S D Castle BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 April 2023

Appeal Ref: APP/R3705/W/22/3296368

Land opposite Delves Field Stables, Boulters Lane, Wood End CV9 2QF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Glover (Glover Properties Ltd) against the decision of North Warwickshire Borough Council.
 - The application Ref PAP/2019/0679, dated 06 December 2019, was refused by notice dated 02 November 2021.
 - The development proposed is erection of up to 9 dwellings (all matters reserved except access).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline form with all matters except access reserved for later consideration. I have determined the appeal on the same basis, treating the submitted layout as indicative.
3. Amendments were made to the proposal prior to determination of the planning application by the Council. I have consequently taken the description of the development from the appellant's appeal form as this more accurately describes the final development proposed.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

Background

5. The appeal relates to the undeveloped northern half of a field, the southern half having been recently developed with 14 detached dwellings in a cul-de-sac layout. Prior to the completion of that recent development (Brookfields Close), the village of Wood End, in the vicinity of the appeal site, was characterised by a ribbon of single depth housing that extended along the northern side of Boulters Lane, with open fields to the rear.
6. Previous appeal decisions relating to the Brookfields Close site found that its development with housing would appear incongruous and unrelated to the village and its strongly linear form of development in the vicinity of the site.

Notwithstanding the identified harm to the character and appearance of the area, and the dismissal of an initial appeal¹ in 2016 for that reason, permission was granted for the development of the Brookfields Close site in a subsequent 2017 appeal decision² where the Council was no longer able to demonstrate a five year supply of deliverable housing sites. In allowing the appeal, the Inspector found that the level of harm to the character and appearance of the area would not significantly and demonstrably outweigh the benefits associated with the proposal when assessed against the policies in the Framework taken as a whole.

7. A further outline application for the development of the current appeal site with up to 14 dwellings was dismissed by an appeal decision³ in 2018. In that case, the Inspector found, 'the development would be detached from the dwellings fronting Boulters Lane, more so than any development on the adjacent site, and would conflict with the generally linear pattern of development locally.' Overall, the Inspector concluded that the adverse effect of the proposal on the character and appearance of the area, whilst not considerable, would significantly and demonstrably outweigh the benefits of the development.
8. Subsequent to the above 2018 appeal dismissal, the Council adopted the North Warwickshire Local Plan (Local Plan) in September 2021. Local Plan Policy LP2 defines the borough's settlement hierarchy and steers most development to the main towns, with a cascade approach in other settlements and with very little development directed towards the countryside. Wood End is identified by Policy LP2 as a Category 4 settlement where development adjacent to its settlement boundary may be acceptable. Policy LP2 goes on to state, 'All development will be considered on its merits; having regard to other policies in the plan and will cater for windfall housing developments usually on sites of no more than 10 units at any one time depending on viability, services and infrastructure deliverability.'
9. The settlement boundary of Wood End to the north of Boulters Lane is formed by the rear boundaries of the properties facing on to the lane. As such, the proposed housing would be sited outside of the settlement boundary, as are the dwellings on Brookfields Close. Whilst the housing would not be directly adjacent to the settlement boundary, it would represent continuous built form of the settlement and the Council's refusal reason does not refer to Policy LP2. As such, there is no dispute between the main parties that Policy LP2 could be supportive of the development subject to an assessment of its merits and having regard to other relevant policies in the Local Plan. I see no reason to disagree.

Character and Appearance

10. The North Warwickshire Landscape Character Appraisal 2010 (LCA) identifies the site as within 'Character Area 6: Wood End to Whitacre - Upper Tame Valley Farmlands'. The LCA describes this character area as, amongst other things, 'an extensive area of mixed undulating farmland, with open arable fields and woodland to upper slopes and more intimate pastoral valleys, punctuated by a dispersed and ancient settlement pattern of small hamlets, scattered rural properties and farmsteads, some local brick and timber

¹ Ref APP/R3705/W/16/3150188

² Ref APP/R3705/W/17/3171093

³ Ref APP/R3705/W/18/3207348

vernacular and all connected by an intricate network of narrow hedged lanes.' The undeveloped and rural character of the appeal site, surrounded on 3 sides by open fields, contributes positively to that identified landscape character, forming part of the open countryside setting of Wood End and acting as a buffer to the more intensive urban fringe land uses located to the north.

11. The development at Brookfields Close has harmfully disrupted the settlement character in the vicinity of the appeal site by introducing 'back land' development into the open fields to the rear of a section of the housing that faces directly onto the northern side of Boulters Lane. Rather than rounding off the settlement, Brookfields Close projects into the open countryside, representing a harmful urban intrusion into the open countryside setting of Wood End.
12. Whilst the Brookfields Close development has weakened the generally linear pattern of development on the northern side of Boulters Lane, it does not follow that further development at depth would relate well to the character and appearance of the area. Indeed, I find that the effect of the current appeal proposal would be to add to the existing harm that has resulted from the Brookfields Close development. The current proposal would jut out even further into the open countryside, resulting in a development that is even more incongruous and unrelated to the settlement, further weakening the generally linear pattern of development on the northern side of Boulters Lane, and harming the open countryside setting of Wood End.
13. I note that the appellant is willing to accept a condition that restricts the height of the proposed dwellings to bungalows. I also note that additional landscape planting at the northern edge of the development is proposed, enhancing the existing hedgerows, and providing a new block of planting of predominantly oak. This would result in a softer edge of settlement than is currently provided by the closed boarded fencing to Brookfields Close. I also acknowledge that public views of the development would be limited by existing development and the surrounding mature field boundaries. There would, however, be views from the rear of surrounding existing houses, including from those dwellings fronting Tamworth Road to the west, and glimpses from the public footpath AE67 to the east. Notwithstanding the quality of any eventual reserved matters, I find some moderate level of net residual landscape and visual harm would inevitably persist due to the loss of open countryside and by virtue of the incongruous depth of the development.
14. I have had regard to the LP allocation H17 for a major development of homes at the rear of the existing development along Tamworth Road. That site is substantially bounded by the built form of the settlement on 3 sides. As such, development of the H17 site would round off the settlement and is not a direct parallel to the current appeal scheme.
15. For the reasons above, the development would be harmful to the character and appearance of the area contrary to Local Plan Policies LP1, LP14 and LP30. These policies, taken together, amongst other things, require development to respect and reflect the existing pattern, character and appearance of its setting, positively improving the individual settlement's character and appearance. Given these identified Local Plan conflicts, the proposal is not supported by Policy LP2. Furthermore, the proposal fails to accord with Chapter 12 of the National Planning Policy Framework (the Framework) insofar

as it would not add to the overall quality of the area, would not be sympathetic to local character, and would not recognise the intrinsic character and beauty of the countryside.

Other Matters

16. A signed Unilateral Undertaking (UU) has been provided that covenants to the making of financial contribution towards: off-site recreation; the management and maintenance of the on-site local area of play (LAP); and biodiversity offsetting. The Council has set out the relevant planning policy support/justification related to these obligations and these contributions are not disputed by the appellant. I see no reason to disagree. Accordingly, I have taken into account the commitments and accompanying terms of the UU as considerations in my decision.
17. The obligations contained within the UU, however, carry limited weight in favour of the proposal given that they are necessary to adequately mitigate the effects of the development in relation to public open space, off-site recreation, and biodiversity. I acknowledge that the LAP would attract users from nearby existing residential development, however, given the site's lack of integration with the wider settlement, I ascribe limited weight in favour of the scheme to the provision of the on-site public open space.
18. Framework Paragraph 174 requires that planning policies and decisions should contribute to and enhance the local environment in a number of ways, including through the provision of net gain for biodiversity. The Government's Planning Practice Guidance (PPG) defines biodiversity net gain as works which deliver 'measurable improvements for biodiversity by creating or enhancing habitats in association with development.'⁴ I acknowledge that, given the outline stage of the proposal, many of the details that may affect the final biodiversity value of the site (and any receptor site) would be confirmed at a later stage. However, without this information, I ascribe only limited weight to the overall net gains in biodiversity that would result from the scheme.
19. I acknowledge that the proposal would contribute towards the Government's objective of significantly boosting the supply of housing and that the proposal would provide up to 9 modern homes in a location with adequate access to services. I also note that the Council requires 4 of the dwellings to be secured as affordable housing and that the appellant is willing to accept a condition to that effect. Given the limited scale of the proposal, and the Council's housing land supply position of deliverable sites in excess of 5 years, the provision of the additional housing, including the affordable housing, attracts only limited weight. The scheme would also lead to a time-limited economic benefit during the construction phase and would contribute to the vitality of the rural community. These economic and social benefits would be minor given the limited scale of the proposal.
20. Weighing against these benefits is the harm to the character and appearance of the area, and the consequent conflict with the relevant local and national policies, identified above. Whilst the level of harm is only moderate due to the relatively localised effects, the benefits of the scheme would not outweigh the harm. This decision is consistent with the previous Inspector's decision in 2018 that found the adverse effects on the character and appearance of the area

⁴ Paragraph 022, Reference ID: 8-022-20190721

resulting from the development of the site with up to 14 dwellings, whilst not considerable, would significantly and demonstrably outweigh the benefits of the development.

21. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations, including the Framework, indicate otherwise. Furthermore, paragraph 12 of the Framework states that proposed development that conflicts with an up-to-date local plan should be refused unless other material considerations indicate otherwise. The proposal would conflict with the development plan when read as a whole and there are no other considerations that outweigh that identified conflict.

Conclusion

22. For the reasons given above, the appeal is dismissed.

S D Castle

INSPECTOR

Agenda Item No 13

Planning and Development Board

22 May 2023

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

Agenda Item No 14

Confidential Extract of the Minutes of the meeting of the Planning and Development Board held on 3 April 2023.

Paragraph 2 - Information which is likely to reveal the identity of an individual;

Paragraph 6a - to give under any enactment a notice under or by virtue of which requirements are imposed on a person;

Paragraph 6b - by reason of the need to consider the making of an order; and

Paragraph 7 - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

In relation to the item listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The Contact Officer for this report is Julie Holland (719237).