

Public Participation – Cabinet 28 March 2023

Question from Mike Hall

Mr Chair, my name is Mike Hall, owner of Silton Mews. On the 12th Jan '23, out of the blue, Silton Parish Meeting was notified of a provisional Area Tree Preservation Order relating to Silton Mews.

By way of background, we have been in dialogue with Dorset Planning for almost 2 years with regards to extending our property, for which Planning permission has now been granted. At no point in this process has the Tree Team or Case Officer raised any concern for a TPO until the 11th hour.

This TPO has come as a shock to us and has caused alarm in the Parish of Silton too. An Extraordinary Parish Meeting was held on 21st February where our provisional TPO was Agenda item 3. Cllr Belinda Ridout was present for this item, having kindly conducted a full site visit of our garden and Application site.

It is important to note that no trees in our garden are at risk or will be impacted by the extension or parking.

We value our trees, we have planted 27 trees to date and we've been instrumental in planting 3 English oaks in the village to honour our late Queen's Green Canopy Initiative in 2022.

We were taken aback to receive an Area TPO, particularly because much of the area designated is nowhere near the Application site.

There is no logic to a non-specific Area TPO that, for example, includes fruit trees and a diseased ash tree. **Several objections to this Area TPO have been lodged including one by Silton Parish Meeting** - the final paragraph of which sums up the prevailing situation:

"This Area TPO will not help the trees at Silton Mews to contribute positively to the amenity of Church Road and the Parish of Silton, indeed it will do exactly the opposite as it will impose a completely unnecessary layer of bureaucracy on the management of these trees. This TPO is arbitrary, unjustified and completely unnecessary.

Silton Parish Meeting strongly objects to the imposition of this TPO and requests that it be withdrawn".

Our key concerns are:

- The imposition of a TPO order of this nature will be counter productive and rather than protecting trees, as news of this Area TPO spreads, it is very likely to prompt the felling of trees prior to planning applications being submitted.
- There has been no consultation with us from the Tree Officer about the Area TPO to date.

- Silton is not in a conservation area or an AONB. There is no other existing TPO in our parish.
- This TPO will inevitably generate an unnecessary level of bureaucracy for all parties, as it encompasses many trees that require regular tree management and remedial pruning to ensure their optimum health.

LPA's have powers to cancel confirmation of TPOs or else vary or revoke them. I request that such action is taken in respect of the Area TPO due to be imposed on our property.

We were drawn to Silton Mews for its calm, green space for our health & wellbeing following a cancer diagnosis in our household. This TPO has put undue stress on us.

Response from the Portfolio Holder for Planning

The Silton Mews TPO (TPO/2023/001) has been made in response to a planning application and potential future planning applications. The TPO is dated 12th January 2023.

In response to the specific queries raised by Mr. Hall:

- The imposition of a TPO order of this nature will be counter productive and rather than protecting trees, once news of this Area TPO spreads, it is more likely to prompt the felling of trees prior to planning applications being submitted.

Response: Area TPOs are made as a matter of urgency to protect trees of amenity value within defined land. The intention is that the TPO will be modified to cover appropriate individual or groups of trees within the designated area. This will be undertaken in the next two to three weeks.

- There has been no consultation with us from the Tree Officer about the Area TPO to date.

Response: consultation is not undertaken prior to serving a TPO. This is to prevent the removal of unprotected trees prior to a TPO being served.

- Silton is not in a conservation area nor is it in an AONB. There is no other existing TPO in our parish.

Response: Trees within Conservation Areas are afforded protection, as the Local Authority must be notified of proposals to carry out tree works. The number of existing TPO's in an area is not a factor taken into consideration when making a TPO.

- This TPO will inevitably generate an unnecessary level of bureaucracy for all parties, since the TPO encompasses a large number of trees that require

regular tree management and remedial pruning to ensure their optimum health.

Response: tree works can be undertaken on trees covered by TPO's. A Tree Works Application needs to be made to Dorset Council – there is no charge for this.

To conclude, Dorset Council is not proposing to confirm the TPO with an Area designation, but rather to modify it to cover specific trees and groups of trees considered worthy of protection. This would not include diseased trees referred to in the submission.