



27 October 2016

Mr Allan Wallbank
Tree & Landscape Officer
Fylde Borough Council
Town Hall
St Annes
Lancashire
FY8 1LW

Dear Sir/Ms

**TOWN & COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012
FYLDE COUNCIL TREE PRESERVATION ORDER 2016.05 – MOSS SIDE LANE, WREA
GREEN**

We act as the planning consultants for Mactaggart & Mickel, who have the landholding to which this provisional Tree Preservation Order 2016.05 – Moss Side Lane, Wrea Green relates, under legal control from the landowners, the Animal Health Trust.

We wish to lodge objections and representations, within the 28 day period, under regulation six of the Town & Country Planning (Tree Preservation)(England) Regulations 2012 in relation to this provisional TPO, which was confirmed on 30th September 2016.

The basis of our objections and representations is informed by the attached Aecom Arboricultural Report on the provisional G1 TPO. These are undertaken on the following grounds and take into account National Planning Practise Guideline on this matter, which states in paragraph 36;

“Objections to a new Tree Preservation Order can be made on any grounds.”

- a) Timing; An application for outline planning permission was lodged by Mactaggart & Mickel with Fylde Borough Council in mid-August 2016 (ref: 16/0619). This followed pre-application discussions from June 2016. The application also covers the area of the provisional TPO. With no discussion, forewarning or communication with the owner or their agents, the Council have sought to introduce this TPO, whilst the current application is still being assessed. We believe the timing of this proposal is ill-informed and a mis-guided attempt to prejudice the outcome of the assessment of the planning merits of the proposal currently being considered by Fylde Borough Council.

- b) Trees; The condition of these trees is variable, as evidenced in the Arboricultural Report. The majority are semi mature and with only four trees being in fair or good condition, five are in fair to poor condition. Only two trees have a life expectancy of over 40 years all others are less than this. Overall eight of the trees are categorised as C2, which are of low quality/value. Trees must meet a set of prescribed criteria to qualify for protection by a TPO, this includes having amenity value and being suitable for long term retention. Given the findings of the attached report it is argued that the long term amenity and safe retention of these trees is questionable.
- c) Site; Historical land use and topographical features also bring into question the longevity of these trees. The current land use suggests that the RPAs or rooting areas of all trees within this group have been and will be impacted by ploughing of the field to the south, and the physiological condition of the trees is considered fair to poor. These findings suggest potential root/soil issues that may be attributed to repeated root damage resulting from the ploughing of the neighbouring field.

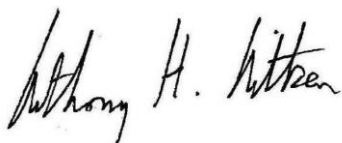
It is requested that Fylde Borough Council give full and fair consideration to the points raised in relation to the objections and representations.

Mactaggart & Mickel are of the view that based on the evidence detailed in the appended report and objections/representation raised in this letter that the provisional Tree Preservation Order 2016.05 – Moss Side Lane, Wrea Green, should not be confirmed.

If all future correspondence on this matter can be directed to ourselves that will also be appreciated.

An acknowledgement that these objections and representations have been timeously lodged is also requested.

Yours faithfully

A handwritten signature in black ink, appearing to read "Anthony H. Aitken".

Anthony H Aitken MRTPI
HEAD OF PLANNING

Cc Ken Hopkins – M&M
Adrian Jonas - AHT