

Ward - Moel Fammau

Aelod(au) Ward - Y Cyngorydd Huw Williams

Rhif y Cais - Amherthnasol

Cynnig - Cadarnhau Gorchymyn Diogelu Coed (GDC) dros dro Rhif 4 (2024)

Lleoliad - Tir rhwng y Rheithordy a Brackendene, Llanbedr Dyffryn Clwyd

1. Pwrpas yr Adroddiad

1.1. Hysbysu Aelodau o'r Pwyllgor Cynllunio bod y Cyngor wedi cael gwrthwynebiad i Orchymyn Diogelu Coed arfaethedig Rhif 4 (2024) ar Dir rhwng y Rheithordy a Brackendene, Llanbedr Dyffryn Clwyd a wnaed ar 15 Mai, 2024; ac i argymhell cadarnhau'r Gorchymyn Diogelu Coed. Mae'r GDC yn amddiffyn un Llarwydden Ewropeaidd (*Larix decidua*) (T1).

2. Adroddiad

2.1 Mae Swyddog Coed y Cyngor wedi cynnal asesiad o'r goeden ac wedi cyflwyno cais bod y Llarwydden Ewropeaidd (*Larix decidua*) (TL1) yn cael Gorchymyn Diogelu Coed gan fod y goeden yn cyfarfod y meini prawf perthnasol ac angen ei diogelu. Nodiadau Archwiliad y Swyddog Coed - mae Dull Gwerthuso Coed ar gyfer Gorchymynion Diogelu yn cadarnhau bod gan y goeden bwysigrwydd cynefin ac o dan fygythiad uniongyrchol gan ddatblygiad.

2.2. Mae Swyddog Coed y Cyngor yn ystyried bod gwerth y goeden yn cyfrannu at gymeriad yr ardal sy'n golygu bod angen ei hamddiffyn. Trwy osod GDC ar y goeden mae'n amlygu wrth yr holl bartion cysylltiedig ei bod wedi ei hamddiffyn a bod mwy o reolaeth dros y goeden yn y dyfodol.

2.3. Yn dilyn cyflwyno'r GDC, cafodd y Cyngor wrthwynebiad gan y Tad Huw, preswlydd lleol ac Arweinydd Ardal y Genhadaeth Dyffryn Clwyd. Mae'r gwrthwynebiad yn nodi'r pryderon canlynol: -

- Cwestiynu pam bod angen y GDC. Mae'r datblygiad tai yn cynnwys gwelliannau diogelwch ar gyfer y pentref, sef dod â'r llwybr troed y tu mewn i'r wal ac i ffordd o'r gefnffordd brysur. Mae'r datblygwr wedi gweithio gyda'r Eglwys i sicrhau bod y llwybr yn cysylltu â'r fynwent sy'n rhan o'r rhwydwaith llwybrau presennol. Byddai'r llwybr hwn yn pasio'n uniongyrchol o dan y llarwydd gorllewinol sy'n cynnwys llawer o bren marw sydd angen ei docio a darn mawr o ddiffrod storm blaenorol traean o'r ffordd i fyny'r boncyff.*
- Awgrymu cyn cael GDC, y cynhelir archwiliad manwl o'r goeden i edrych ar ei sefydlogrwydd presennol gan fod canghennau yn aml yn disgyn ar fy ngwrych ar ôl gwyntoedd cryfion. Yn ogystal â hyn mae nifer o ganghennau isel sy'n cyrraedd y llawr sydd angen eu tocio i ganiatáu i'r llwybr fynd yn ei flaen, llwybr rydym wedi bod yn edrych ymlaen ato ac mae'n rhan o'r cynllun cynaliadwyedd hirdymor ar gyfer yr Eglwys sy'n ased dreftadaeth ddiwylliannol arwyddocaol ar gyfer y pentref. Yn hytrach na gosod GDC ar y goeden rwy'n credu bod angen ei thorri am resymau diogelwch ac o leiaf mae angen ei thocio wrth dynnu coed marw a'r canghennau isel sydd bron â chyrraedd y llawr.*
- Mae nifer dda o goed brodorol aeddfed o'i hamgylch, yn arbennig yn y fynwent, sy'n cael ei rheoli'n arbennig ar gyfer bioamrywiaeth ar ôl cael Gwobr Eglwys Eco Aur Cyntaf yng Nghymru yn ddiweddar, sy'n creu gwell cynefin ar gyfer bywyd gwylt na llarwydd gorllewinol.*

2.4. Deallir bod Swyddog Coed y Cyngor wedi cwrdd â'r gwrthwynebwyr ar ôl cael y sylwadau uchod. Eglurwyd na fyddai'r GDC yn rhwystro/atal datblygu'r droedffordd newydd, fodd bynnag mae pryderon yn parhau bod y goeden angen gwaith/yn anniogel yn y lleoliad hwn, mor agos at y droedffordd arfaethedig.

Nid yw'r Swyddog Coed wedi gallu cysylltu â'r datblygwr ynglŷn â'r goeden.

Mae swyddogion yn parhau i gredu bod angen GDC gan ei fod yn rhoi gwell amddiffyniad a/neu bwerau ailosod wrth i'r datblygiad fynd yn ei flaen.

3. Casgliad

3.1. Er gwaethaf y gwrthwynebiad yr argymhelliad yw cadarnhau'r GDC yn unol ag argymhelliad Swyddog Coed y Cyngor.

4. Argymhelliad

4.1. Mae GDC Rhif 4 (2024) rhwng y Rheithordy a Brackendene, Llanbedr Dyffryn Clwyd yn cael ei gadarnhau heb ei addasu i roi amddiffyniad parhaus i'r Llarwydden Ewropeaidd (*Larix decidua*) (T1).

Dogfennau cefndir

Gorchymyn Diogelu Coed Rhif 4 (2024) Tir rhwng y Rheithordy a Brackendene, Llanbedr Dyffryn Clwyd

Nodiadau archwiliad y Swyddog Coed (TEMPO) dyddiedig 3 Mai, 2024

Gwrthwynebiad gan y Tad Huw, preswlydd lleol ac Arweinydd Ardal y Genhadaeth Dyffryn Clwyd.

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

**The Denbighshire County Council
(Town of Ruthin)
Tree Preservation Order No: 4(2024)
Land between The Rectory & Brackendene, Llanbedr DC**

THIS IS A FORMAL NOTICE to let you know that on the 15th May 2024 Denbighshire County Council made the above tree preservation order.

A copy of the order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule of the order and shown on the map without the Council's consent.

Some explanatory guidance on tree preservation orders is given in the enclosed leaflet, *Protected Trees* published by the Welsh Government and is also available electronically here:-

<https://gov.wales/sites/default/files/publications/2018-09/protected-trees-a-guide-to-tree-preservation-procedures.pdf>

The Council has made the order because the tree is very prominent in the local landscape and is of high amenity, biodiversity and historical value to the area. This tree is perceived to be at risk and merits formal protection by a Tree Preservation Order.

The order took effect, on a provisional basis, on the 15th May 2024. It will continue in force on this basis for a further 6 months or until the order is confirmed by the Council, whichever first occurs.

The Council will consider whether the order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the order.

If you would like to make any objections or other comments, please make sure we receive them in writing by 26th June 2024. Your comments must comply with regulation 4 of the Town and Country Planning (Trees) Regulations 1999, a copy of which is provided overleaf. Send your comments to planning@denbighshire.gov.uk. All objections or representations which comply with Regulation 4 will be carefully considered before a decision on whether to confirm the order is made.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact planning@denbighshire.gov.uk.

Dated: 15th May 2024

*Sally-Ann
Henderson*

Signed:

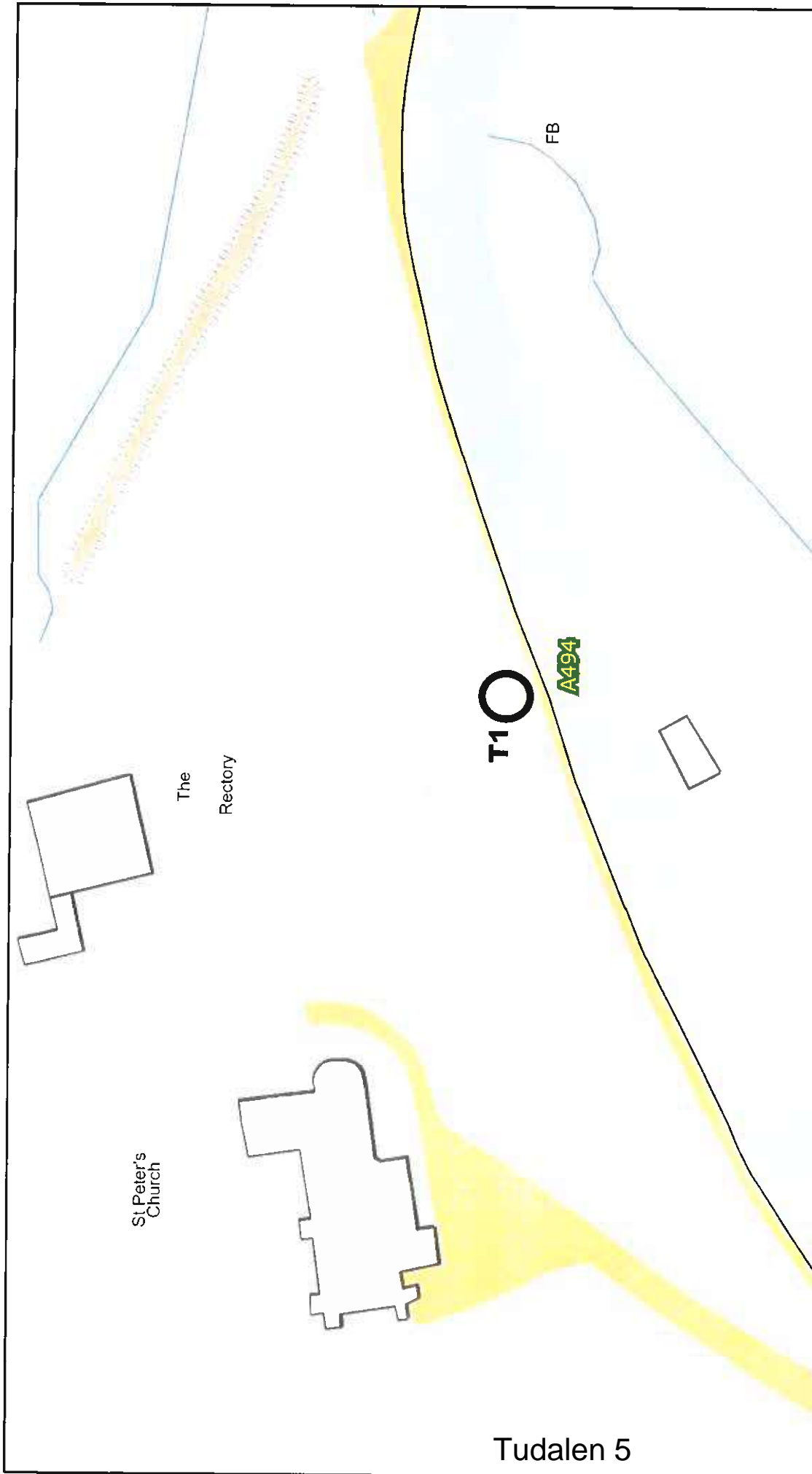
Catrin Roberts
Head of Corporate Support Services: People
Denbighshire County Council
Wynnstay Road
Ruthin
Denbighshire
LL15 1YN

Mae'r ddogfen hon ar gael yn Gymraeg. This document is available in Welsh
Tudalen 3

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY
COPY OF REGULATION 4 OF THE TOWN AND COUNTRY PLANNING (TREES)
REGULATIONS, 1999

Objections and representations

- 4(1) *Subject to paragraph (2), objections and representations -*
- (a) *Shall be made in writing and -*
 - (i) *delivered to the authority not later than the date specified by them under regulation 3(2)(c); or*
 - (ii) *sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;*
 - (b) *Shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made; and*
 - (c) *In the case of an objection, shall state the reasons for the objection.*
- 4(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.



Tudalen 5

TPO - Land between The Rectory and Brackendene, Llanbedr Dyffryn Clwyd, Ruthin



N Graddfa / Scale: 1:500 Canol / Centre: 314478, 359397 Dyddiad / Date: 2024-05-03 11:58:39

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Mae tudalen hwn yn fwriadol wag

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 03/05/24 Surveyor: MICHELLE BROWN - TREE OFFICER

Tree details: land between Rectory + Brackensane, Lambour DC. (Alyn Homes Development)
 TPO Ref (if applicable): _____ Tree/Group No: (T1) Species: Larix decidua
 Owner (if known): _____ Location: _____ European Larch

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
2

* 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

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
3

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

Pre-app condition re. Root Protection fencing NON COMPLIANT.

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

Score & Notes
16

Part 3: Decision guide

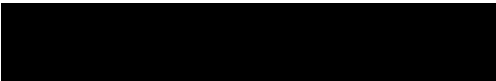
- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:
16

Decision:
TPO ✓

Tudalen 7

Mae tudalen hwn yn fwriadol wag



To : "planning@denbighshire.gov.uk" <planning@denbighshire.gov.uk>
cc: :

16/05/2024 11:12

Subject : Presevation Order 4(2024)

Assigned To:	Status: <input checked="" type="radio"/> New <input type="radio"/> In Progress <input type="radio"/> Ignore <input type="radio"/> Assigned To But Not Started <input type="radio"/> Dealt With <input type="radio"/> Information Only
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Dear Sir/Madam

I am writing both as a resident and as Priest for Llanbedr Church in relation to the proposed tree preservation order on the western larch in the field adjacent to both The Rectory and St Peter's Church, Llanbedr DC (which you wrote to me about twice in both capacities).

I question the necessity of the TPO. The housing development in the field includes safety improvements for the village, namely bringing the footpath inside the wall and away from the busy trunk road and the developers have worked with us as a church to ensure the path then drops down into the churchyard connecting to our existing path network. This path would pass directly beneath the western larch which contains quite a lot of deadwood which needs pruning and a large patch previous storm damage two-thirds of the way up the trunk. I would like to suggest that before there is a TPO a thorough inspection of the tree is carried out to check its current stability as there is often branches down after high winds which land on my hedge. Added to this there are several drooping branches which reach the ground which would require pruning to allow the path to go ahead, a path which we have been looking forward to and is part of the long term sustainability plan for the Church which is a significant cultural heritage asset for the village.

Far from having a TPO placed on the tree I believe there is a case for felling it for safety reasons and at the very least it requires pruning with removal of deadwood and the drooping branches that nearly reach the ground.

There are a good number of mature native trees surrounding it, especially in the churchyard, which is specially managed for bio-diversity having recently received the 1st Gold Eco-Church Award in Wales, that form better habitat for wildlife than a western larch.

Yours

Tad Huw

Mission Area Leader of Dyffryn Clwyd

<https://dyffrynelwyd.co.uk/>

<http://fb.me/ACDyffrynClwydMA>

<http://fb.me/DCNorthChurches>

Audit Trail

Audit Trail

