

Report to: Planning Committee

Date: Wednesday 16th July 2025

Officer: Planning Officer Georgia Crawley

Ward: Llangollen

Ward Members: Councillors Karen Anne Edwards and Paul Keddle

Subject: General Matters Report – Objections to Tree Preservation Order (TPO) No. 7 (2025) Land opposite White Waters Hotel, Llangollen

REASON REPORTED TO COMMITTEE:

- Objection received to TPO Consultation

1. Purpose of Report:

1.1 To inform Members of the Planning Committee that the Council has received an objection to the provisional Tree Preservation Order (TPO) No. 7 (2025) on Land opposite White Waters Hotel, Llangollen. The order took effect (on a provisional basis of 6 months) on the 16th April 2025 and it is recommended that the Council confirm the TPO.

1.2 The TPO relates to a Group of Mixed Broadleaves/ Conifers at grid reference (320632, 343095). The group of trees are described in Schedule 1 of the TPO Order, and a plan is included at the final page of the Order (See Appendix 1 of this report).

2. Report:

2.1 The Council's Tree Officer inspected the trees as part of their work reviewing Candidate Sites for the Emerging Replacement Local Development Plan. The extent of the relevant Candidate Site can be seen in Appendix 6 of this report.

2.2 As part of the inspection, the Tree Officer carried out an assessment of the group of trees. The Tree Officer considered that the group of trees are very prominent in the local landscape and are of significant amenity value, are mature, healthy and clearly visible to the public. Historic mapping shows that there have been trees on this site since at least 1875. Given the foregoing, the Tree Officer carried out a Tree Evaluation Method for Preservation Orders (TEMPO) (see Appendix 3). This scored the trees as 'Definitely merits TPO'. As a result, the TPO No. 7 (2025) was made and notice of the TPO was served to the landowner and other adjacent interested parties on the 16th April 2025.

2.3 The Council received one objection in response to this notice from the landowner/ manager for the land (copy in Appendix 4). The main issues raised within the letter of objection are summarised below:

- The landowners advised that they have no intention of felling the trees and regularly inspect/maintain them. They have always been well managed, in particular due to the proximity to the A5 Trunk Road. The landowners do not consider the trees to be at risk. Trees all appear healthy and free of issues. The landowners advised that only three mature trees have been lost in 10 years, which were blown over for no obvious reason. The landowner is a member of the Royal Forestry Society and Dendrology Society and is committed to the preservation and creation of veteran trees.
- Llangollen is a rural area with a large amount of surrounding broadleaf woodland which they consider holds more habitat value, amenity and historical context than this group of trees; so they query why this group of trees has been singled out. The objection letter states that the species are typical of the area, containing Corsican pine, lime, elm (aswell as some dead elm), sycamore, beech, maple, oak as well as some hawthorn and douglas fir. There are no champions or rare species, although they are approaching veteran age and certainly form part of the landscape, owing to their maturity.
- Queried if the Council have an ecology survey due to reason for the TPO being stated as providing habitat for wildlife.
- Highlighted that the notice refers to "a tree" but that the plan outlines a group of trees.
- The Objectors' biggest concern is that by putting a TPO on these trees, it would actually draw attention to them, which will require third-party input with an arborist tree survey who will need to satisfy their own liability that these trees are completely safe next to the A5 trunk road. Their liability concerns could easily lead to them advising a crown reduction or a felling order, all because of their own concern for their own liability and not that of the longevity and carbon sequestering of the trees.

2.4 The Tree Officer met with the Objector to discuss their concerns; however, the objection was not withdrawn.

2.5 The Tree Officer's justification for protecting the trees is set out within the high scoring on the Tree Evaluation Method for Preservation Orders (TEMPO) (see Appendix 3). For the members benefit, this is a summary of the justification and a response to issues raised in the letter of objection:

- There is a risk of impact on the trees from development. The site has been included in the LDP Candidate Site. Without a TPO, these trees are vulnerable to being felled or damaged prior to any application being submitted. Over 230 candidate sites were submitted for consideration for the replacement LDP. The vast majority are seeking allocation for residential development. Initial desk-based consideration of constraints and site visits have been undertaken by officers. Strategic Planning is currently at Stage 3 in the assessment process and is going to seek information on deliverability and viability shortly.
- The trees are considered to be of significant amenity value. They are mature, healthy and clearly visible to the public, viewed by the nearby properties, the patrons of the White Waters Hotel opposite, and approximately 5000 vehicles passing by on a daily basis.

- Historic maps show that there has been a group of trees here since at least 1875, making this a long-standing feature in this part of the Clwydian Range and Dee Valley National Landscape.
- No Ecology report has not been commissioned by Denbighshire County Council for these trees, however, the Tree Officers consider that the trees are contributing towards the biodiversity of the area. There are lots of records of protected species in proximity of the trees on Cofnod. Birds were using the trees during site visits. Many species will commonly utilise trees of this size and maturity, including nesting birds, bats, lichens, epiphytes, and small mammals. This group may also provide a corridor for wildlife, helping to link surrounding habitats, such as the nearby ancient woodland with the River Dee.
- Two veteran Oak trees were felled nearby on similar land, seemingly to facilitate development (Likely different landowner).
- The Tree Officer advised that, given the landowners' forestry credentials, it may not be necessary for third-party tree surveys, provided that any future recommendations are sound. There was only one instance in the past 10 years that would have required a TPO application, so the TPO would not create a significant additional administration to manage the trees.

2.6 The notice (that accompanied the Order) has been updated to amend 'tree' to 'tree/trees' to correctly cover Groups of trees. Legal have considered the process of this amendment, and advised that provided the final confirmed notice includes the minor amendment to the wording, subject to Planning Committee's decision, that this does not require any further consultation as the schedule and plan identifying the trees remains unchanged.

2.7 Officers respectfully consider that whilst the trees have been well managed in the past, the TPO is warranted to ensure that the trees are retained in perpetuity. There are clear intentions to develop the site for employment uses, where pressure on the trees has a material change in risk and potential ownership given the site's inclusion in the Candidate Sites register. Notwithstanding this, the trees are considered to be of significant amenity in a prominent public location. The site has high landscape sensitivity being part of the Area of Outstanding Natural Beauty / National Landscape, Vale of Llangollen and Eglwyseg Landscape of Special Historic Interest, Pontcysyllte World Heritage Site Buffer Zone and along one of the key routes into Llangollen. The trees are also of significant biodiversity value due to their links to the wider landscape and maturity.

3. Conclusion:

3.1. Notwithstanding the objection, it is recommended that the TPO is confirmed in accordance with the Council's Tree Officer's recommendation.

4. RECOMMENDATION:

4.1 TPO No. 7 (2024) on Land opposite White Waters Hotel, Llangollen, is confirmed without material modification (other than minor update to notice wording as described in 2.6 above) to afford the Group of Mixed Broadleaves/ Conifers (G1) continued protection.

Appendix:

Appendix 1 - Copy of Tree Preservation Order No. 7 (2025).

Appendix 2 - Copy of Notice (as amended).

Appendix 3 - Tree Officers Tree Evaluation Method for Preparing Orders (TEMPO) dated 9th December 2024.

Appendix 4 - Letter of objection from landowner/ manager.

Appendix 5 - Photo of trees.

Appendix 6 - Candidate Site Submission