

Transport, Environment & Climate Change Select Committee – 8 September 2022

Agenda Item 4 – Public Questions

Question One

In the light of the recent, appalling destruction of an orchard in Holmer Green/ Hazlemere on the Trallee Farm site would it be possible to ensure that there was a system in place to provide a Tree Preservation Order when there is great urgency and offices are closed? This could be in the form of an individual who takes on this responsibility in an emergency and provides his/her contact details.

Answer

Following a report of tree removal on Saturday 25th June on land to the rear of 2 – 20 Wycombe Road and forming part of Trallee Farm development, an investigation was undertaken on Monday 27th June and concluded that the trees which were removed over the weekend were not the subject of a Tree Preservation Order. Therefore the removal was not a breach of planning law.

Following the removal of some of the trees on this site, there were several remaining trees that were assessed to provide good visual amenity both now and in the future, Therefore a select number of the remaining trees were the subject of a Tree Preservation Order 04/2022.

As is set out in the presentation to the Select Committee today, Local Planning Authorities can make a Tree Preservation Order if ‘expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area’.

- Expedience relates to the need for the TPO. TPOs should not be made on trees under good management, or on trees not otherwise known to be at risk from inappropriate work now or in future
- TPOs can protect individual trees, groups of trees or woodlands, but not hedgerows
- TPOs prohibit the felling, topping, lopping, uprooting or wilful damage or destruction of protected trees or woodlands unless permission is specifically given for such activity. i.e. through TPO application or grant of planning permission.
- Protection applies to roots, stems and branches
- TPOs do not allow a LAs to impose or enforce a particular management programme

In the case of the Holmer Green site, a previous assessment had been made and the trees that were, at that point, considered to be of amenity value were the subject of a TPO. Those trees that were subsequently removed were not protected.

Where protected trees are removed without proper consent, this can be a criminal offence and the Council will pursue any necessary enforcement vigorously.

The question of having an officer on call 24/7 to deal with tree offences is a matter that we keep under constant review as part of our general enforcement activities. Under our Local Enforcement Management Plan we do ensure out of hours cover is provided over bank holiday weekends to deal with serious enforcement offences but we do not have out of

hours cover through the remainder of the year as it is neither proportionate nor affordable and to do so would require a reduction in functions in other parts of the service.