Appendix 7.14: Arboricultural Impact Assessment



Erlas Park, Wrexham (Parc Erlas, Wrecsam)

12th February 2025

Tyler Grange

TG Report No. 13539_R01f_JJ_CW

Report No:	Date	Revision	Author
13539_R01f	12th February 2025	F	Jack Jewell BA(Hons), MLA, CMLI

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Section 1: Introduction

1.1. This Arboricultural Impact Assessment (AIA) report has been prepared by Tyler Grange Group Ltd (TG) on behalf of Harworth Estates Investments Ltd in relation to a proposed residential development at land at Cefn Road, Erlas Park, Wrexham, LL13 9TT, hereinafter referred to as 'the site'.

1.2. An application is being submitted to Wrexham Council comprising an *"Outline Planning Application for Residential development for the construction of up to 900 residential dwellings with associated infrastructure (playing fields, open space and SUDs attenuation) with all matters reserved except for detailed means of primary highway access."*

1.3. A preliminary assessment of the outline development layout / indicative masterplan has been undertaken to ascertain the extent of likely tree removal works needed to accommodate the proposed layout, and the likely implications for development in relation to the retained tree cover within the site. The proposed layout is not fixed and only shows a way in which the site could be brought forward for development. As such the potential tree losses remain subject to a detailed planning and design phases to confirm the definitive extent of loss and retention.

1.4. This report has been guided by the recommendations set out within the British Standard 5837:2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' (hereafter BS5837). A full BS5837 tree quality survey of the site was undertaken in January 2025

Section 2: Baseline Information

Site Description

2.1. The site comprises mainly arable fields and amenity grassland in use as playing fields bordered by hedgerows and mature trees; public footpaths also cross the site at several points. Cefn Road runs along the western site boundary, and Bryn Estyn Road / Wrexham Rugby Club along the northern boundary. Residential development lies to the north and west of the site, and agricultural fields to the south and east.

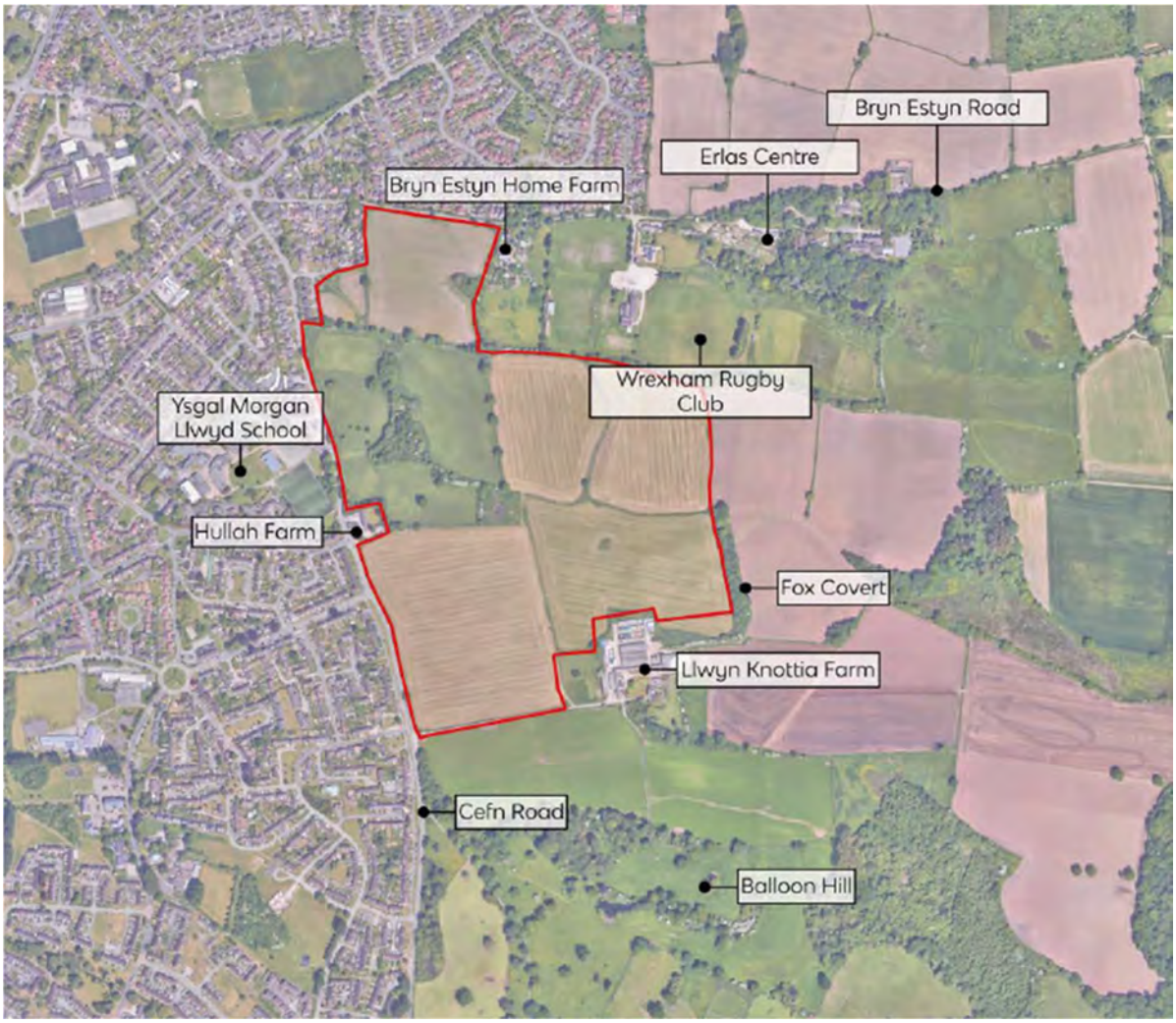


Figure 2.1 – Site Boundary (Red Line) - Aerial Imagery © Google 2024

2.2. Most of the site's hedgerow network is dominated by Hawthorn *Crataegus monogyna* and blackthorn *Prunus spinosa,* with holly *Ilex europaeus* and elder *Sambucus nigra,* hazel *Corylus avellana,* sycamore *Acer pseudoplatanus* and pedunculate oak *Quercus robur* present. As a predominantly arable field arrangement, small areas of scrub and unmanaged tussocky grassland typical, being distributed throughout the site's field margins, including areas dominated by bramble and pockets of willow *Salix sp.*

2.3. The principle tree cover relates to the stands of semi-natural broadleaved woodland and tree belts, notably W1 to the western portion of the site comprising a mix of rowan *Sorbus aucuparia,* whitebeam *Sorbus aria*, apple *Malus sp.,* silver birch *Betula pendula,* Cherry *Prunus sp.,* ash *Fraxinus excelsior,* sycamore *Acer pseudoplatanus,* field maple *Acer campestre,* elder, hazel, willow, blackthorn, holly, oak and hawthorn, with the field layer and margins dominated by bramble and common nettle. A number of scattered mature trees are also present which are mostly located within the amenity grassland at the west of the site, with additional specimens present within some of the hedgerows. Species include pedunculate oak and sycamore.

Tree Survey Summary

2.4. The survey was completed in accordance with BS5837, and the methodology as detailed at **Appendix 1** to the rear of this report. In accordance with the above recommendations, the tree survey included all trees within / in influence of the site and the site boundaries that were over 75mm diameter at breast height (dbh).

2.5. Measured topographical survey data was used to inform the locations and surrounding context of the sites individual and groups of trees. Any trees not included within the topographical survey have been approximated using measurements taken during the tree survey and further informed by aerial photography.

2.6. A total of 58no. trees (T1 – T58), 18no. tree groups (G1 – G18), 14no. hedgerows (H1 – H14) and a single woodland area (W1) were identified during the tree survey of the site. The survey findings are illustrated on the Tree Constraints Plan ('**TCP**', ref. 13539/P10c) located at the rear of this report. The **TCP** shows the distribution of the trees surveyed together with details of their constraints to new development in accordance with BS5837, including:

- Tree Quality Gradings;[1]
- Root Protection Areas (RPA's);[2]
- Tree canopy spreads;[3]
- Tree Shading.[4]

2.7. Findings for each of the tree groups surveyed are detailed in the Tree Survey Schedule (see **Appendix 4**). This provides a tabulated record of the trees surveyed, including reference numbers, species composition, tree dimensions, life stage, physiological and structural condition, and the arboricultural value of each survey entry.

Tree Grading Summary

2.8. The trees surveyed have been categorised using the 'cascade chart for tree quality assessment' (see **Appendix 3**) recommended by the BS5837. Grading subcategories (1, 2 and 3) are intended to

1 The value of arboricultural features surveyed in accordance with the methodology set-out in Appendix 3.

2 A layout design tool indicating the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority. See further explanation at Appendix 3.

3 Dimensions of the trees crown spread and clearance from ground level. See further explanation at Appendix 3.

4 Shade cast by existing trees which may affect the availability of sunlight and daylight within a new development. See further explanation at Appendix 3.

reflect the arboricultural, landscape and cultural values, respectively. The grading system allows informed decisions to be made concerning the design and impact of potential development in relation to the arboricultural value of the trees surveyed.

2.9. Surveyed trees are a mix of Low Value (Category C), Moderate Value / Quality (Category B) trees and High Value (Category A) specimens.

2.10. Category A trees are denoted by a green tree canopy outline as illustrated on the **TCP**, and include:

- T1 (Oak)
- T3 (Lime)
- T6 (Oak)
- T15 (Oak)
- T19 (Sycamore)
- T29 (Oak)
- T30 (Oak)
- T32 (Oak)
- T34 (Oak)
- T44 (Oak)
- T46 (Oak)
- T51 (Sycamore)
- T58 (Sycamore)
- W1 (Mixed species)

2.11. Such trees are identified as high value and quality specimens owing largely to factors such as condition and maturity and predominantly relate to the arrangement of open grown and field boundary mature oak trees and woodland area.

2.12. Category B trees signify those that provide moderate arboricultural quality and value to the site and have been considered as important to retain within the scheme where possible in design. Category B trees are denoted by a 'blue tree canopy outline as illustrated on the **TCP**. This level of classification has often been assigned to trees which attract a higher collective rating than they might as individuals, particularly in terms of their visual appearance where contributing to a cohesive group of trees.

2.13. Category C trees are trees represent trees of low arboricultural quality and value. Category C trees are denoted by a grey tree canopy outline as illustrated on the **TCP**.



Planning Policy

2.14. The site falls within the administrative remit of Wrexham Borough Council. A summary of the local planning policy context relating to arboricultural matters is provided at **Appendix 2** to the rear of this report.

2.15. The site is partially allocated for residential-led use under Policy SP4: KSS2: Land East of Cefn Road, Wrexham. In summary, the wider applicable local policy objectives seek to protect, conserve and enhance the natural environment (SP14) and Green Infrastructure network (SP19) and with specific reference to trees, woodlands and hedgerows, Policy NE3 states that *"Development will only be permitted where it does not cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value or those that provide important ecosystem services",* adding that *"development should include proposals for the planting of new trees, woodlands, and hedgerows within the site, ensuring connectivity between proposed and existing green infrastructure"*

Tree Preservation Orders (TPOs)

2.16. T8, T9 and T10 are covered by Tree Preservation Order WCBC_273-2017_Bryn Estyn Road. A copy of this TPO is included at **Appendix 5** for reference. These trees are proposed for retention as part of the illustrative layout.

2.17. A further TPO (ref. 'WCBC_272-2017_Erlas House', see **Appendix 6** to the rear of this report) is present to the north eastern boundary of the site. This covers off-site trees within the woodland area bounding the northern site boundary, north of the rugby club area.

Ancient Woodlands

2.18. As shown on the magic.gov.uk website, no trees within influence of the site are identified as Ancient Woodland.

Section 3: Arboricultural Impact Assessment

3.1. This Preliminary Arboricultural Impact Assessment has been undertaken to predict the likely tree losses and impacts in response to the outline development proposals for the site. The assessment has been undertaken to predict the likely tree losses and impacts associated with the indicative masterplan layout. The Tree Retention and Removal Plan ('**TRRP**' Ref. 13539/P11d) contained to the rear of this report illustrates the extent of potential tree loss required to implement the illustrative scheme and access arrangement. Approval is not being sought for the site layout through the outline planning application and as such the tree losses are not definitive and are based only on the indicative masterplan option rather than a fixed and fully detailed layout.

3.2. TG provided previous advice in relation to arboriculture, landscape planning and ecology matters in 2020 to inform the evolution of a concept masterplan with associated inputs into a vision document to promote the Site through the Development Plan Process. As such, the masterplan design has been developed with arboricultural matters in mind.

3.3. The assessment is informed by a composite of the tree survey findings and the proposed drawings with the potential tree losses described below. The losses for the indicative masterplan proposals are summarised below at **Table 3.1**:

Tree Reference	BS5837 Category	Description of Potential Loss
H4 (Partial)	C	Removal of portion of internal low value hedgerow (c. 11m in length) to implement an internal highway connection.
H10 (partial)	C	2no. sectional losses (measuring c. 11m and c. 18m in length) to implement internal highways arrangement.
H12 (partial)	C	c. 6m sectional loss owing to highway conflict.
H13 (Partial)	C	c. 9m sectional to implement internal highways arrangement.
G3 (Partial)	C	Removal of portion of internal low value tree stock (c. 3m in length) to implement an internal highway connection.
T20 and T22	C	Removal of 2no. internal low value tree to implement a highway connection into the northern parcel of the site.

Table 3.1 – Potential Tree Losses for Phase 1 Masterplan

3.4. The losses for the proposed means of primary highway access are summarised below at **Table 3.2**:

Tree Reference	BS5837 Category	Description of Loss
T27	C	Sectional losses (measuring 80m and 20m in length) of western boundary H5 hedgerow and removal of a Cat C (T27) and Cat U (T28) tree is proposed in order to a new site access and implementation of shared cycle / footway onto Cefn Road.
T28	U	
H5 (partial)	C	
H7 (partial)	C	2no sectional losses (measuring 28m and 16m in length) within the south western boundary hedgerow is proposed in order to a new site accesses onto Cefn Road.

Table 3.2 – Proposed Tree Losses for means of primary highway access

3.5. The extent to which the proposed scale of tree loss is deemed acceptable should be a judgement based not just in relation to quantum, but also the quality, condition and contribution of the tree stock. The losses relate to the removal of low value trees of generally limited maturity which can be readily replaced in the short term with a combination of new individual tree planting, shrubs and belts of younger whips and / or the bolstering of retained hedgerows with additional hedging and adjoining scrub / grassland / tree planting.

3.6. The proposed layout safeguards the mature trees, including all high and moderate value tree stock, ensuring that no Category A or B specimens need to be removed in order to accommodate the proposed development footprint. No TPO trees will be removed.

Mitigation

3.7. The illustrative layout demonstrates how the proposed development could be laid out and shows the following embedded mitigation measures in relation to the retained tree stock:

- Existing woodland, all mature trees and the arrangement of existing hedgerows (aside from the identified puncture points for access and internal highways arrangement) will be retained and enhanced where practical;
- Western boundary roadside hedgerow H5 will be replanted in near situ and supplemented with new hedgerow planting to maintain enclosure and habitat connectivity following implementation of the proposed Cefn Road highway / footway / cycleway works;
- Development offsets are proposed to avoid conflicts with retained canopies and associated shading constraints;
- No RPAs for retained tree are proposed to be impacted at this stage given the arrangement of proposed highways, turning heads, garden extents and unit arrangement which have evidently adhered to the BS5837 baseline. Where proposed footways traverse RPAs these can utilise a no-dig / above ground solution such as cellweb to safeguard surrounding tree cover;
- Belts of green space will be implemented around each of the proposed development parcels to safeguard the adjoining retained tree stock, including the northern boundary TPO trees along Byrn Estyn Road. New streets will be lined with avenue trees where practical;

- Landscaped buffers and green corridors will be created along the western boundary adjoining Cefn Road. The set-back established in the masterplan along the western boundary of the Site will be planted with scattered trees;

- A landscaped buffer will be created along the eastern boundary of the site adjoining the surrounding countryside, with further opportunities for tree planting; and

- A landscape buffer will also be established from the southern boundary of the site to enable new woodland and tree planting to be undertaken.

3.8. A landscape strategy plan has been submitted to complement the proposed layout illustrating the general arrangement of proposed green infrastructure (GI). This incorporates a network of new green corridors, strategically located to connect existing GI assets and provide visual amenity benefits i.e. screening of the new houses and streets where practical. Tree planting will be undertaken to create a net gain in the site's tree cover. This will be achieved by expanding existing woodland cover, planting street trees, introducing trees to the landscape buffer off Cefn Road and by the enhancement of existing woody habitats with new hedgerow trees and canopy/understorey planting. The planting scheme will include native UK tree and scrub species, rich in berries that provide wildlife with a valuable food resource for wildlife benefit.

Construction Stage Mitigation

3.9. Central to the mitigation of effects during construction and operation will be the production and implementation of an Arboricultural Method Statement (AMS), detailing how the above and below ground structures of retained trees and hedgerows will be protected during the site preparation and construction phases of the development in accordance with BS5837. It is therefore recommended that a full AMS is prepared as part of a reserved matters application for the site or to discharge applicable and suitably worded pre-commencement planning Conditions.

3.10. An AMS will set out a practical and robust strategy for the protection of retained trees for the site preparation, construction of the proposed new link road and the wider development. An AMS can be agreed in writing with the LPA as part of subsequent reserved matters application and / or through imposition and discharge of suitable planning conditions, and is recommended to include:

- a schedule and specification of the required tree canopy works;
- specifications for barriers and ground protection;
- procedures for any specialist construction techniques and any supervised excavations within RPAs;
- phasing of work;
- an auditable system of site monitoring; and
- a Tree Protection Plan.

Conclusions

3.11. This report sets out the baseline findings of a BS5837 tree quality survey at land off Cefn Road, Wrexham. An indicative masterplan has been prepared to demonstrate how the site could be brought forward for development. The masterplan shows how a layout can be designed around the principal tree stock allowing for the retention of the site's High and Moderate value tree cover (Category A and B specimens).

3.12. The potential tree removals are largely limited to sectional losses of Category C hedgerows in order to accommodate new vehicular and pedestrian connections within and around the illustrative layout. The extent of any such losses would be refined at the later detailed planning and design stage once a fixed and fully detailed scheme is available. What is evident at this stage however, is that the scheme allows for the retention of all mature trees and woodland areas with the incorporation of public open green spaces and green corridors in conjunction with new areas of scattered tree planting to mitigate for the proposed localised areas of low value vegetation removal. The proposals highlight the opportunity to implement a mix of new native trees, ornamental specimens, stands of woodland understorey planting, shrubs and hedgerow planting alongside areas of new lawn and meadow planting to diversify the site's Green Infrastructure contribution.

3.13. Tree planting will be undertaken to create a net gain in the site's tree cover. This will be achieved by expanding existing woodland cover, planting street trees, introducing trees to the landscape buffer off Cefn Road and by the enhancement of existing woody habitats with new hedgerow trees and canopy/understorey planting.

3.14. Given the arrangement of proposed green spaces, development buffers and planting, it is evident that the layout has been informed by the BS5837 baseline survey data to offer the best solution in terms of tree retention balancing the quality of the trees being removed and retained, against the scheme viability and required development footprint and access arrangements.

3.15. No mature trees nor any TPO specimens will be removed to facilitate the development.

3.16. There is scope for refining the arrangement of development parcels and vehicular / pedestrian connections further in relation to the calculated RPAs at the later detailed planning and design stages, but where connections are required to be positioned across the existing hedgerows as currently shown, such works can utilise a no-dig technique to limit wider conflicts. Such works would be fully detailed and specified within an Arboricultural Method Statement (AMS), which would be prepared to discharge suitably worded pre-commencement planning conditions to safeguard existing tree stock during the construction phase of development.

3.17. Given the limited quantum and quality of the trees proposed for removal and the scope to provide new planting within the site, the development proposals are considered acceptable in arboricultural terms and demonstrates conformity with the relevant arboriculture related policies of the LDP2 2013-2028 where it is apparent that through the formulation of the proposed Landscape Strategy and safeguarding of protected and mature tree cover, the site can be progressed in a sensitive and appropriate manner.

Appendix 1: Methodology, Constraints, Mapping and Limitations

Field Work

A1.1. In accordance BS5837, the tree survey included all trees within / in influence of the site and the site boundaries that were over 75mm diameter at breast height (1.5m).

A1.2. Measured topographical survey data (supplied by others) was used to inform tree locations their surrounding context. Any trees not identified on the topographical survey are prefixed with (*) and their locations have been approximated using measurements during the tree survey and further informed by aerial photography where required.

A1.3. The trees surveyed were visually inspected from ground level only. No invasive investigations or climbing inspections were necessary to confirm visual or audible signs of defect or debility and no tissue or soil samples were undertaken. For further clarification please refer to the tree survey explanatory notes in below.

Tree Numbers

'T' prefixes have been used to identify individual trees and commence with 'T1'.

'G' prefixes have been used to identify groups of trees.

'H' prefixes have been used to identify hedgerows.

'W' prefixes have been used to identify woodlands.

Species

A1.4. Species are listed by their common name, both in the schedule and in the report text.

Height and Stem Diameter

A1.5. The stem diameter is measured at 1.5m above ground level and given in millimetres (mm). Tree heights are measured in metres (m) using a clinometer where access and land typography allowed. In instances where access to tree's stem and height measurements were not possible, the dimensions have been estimated by eye.

Crown Spread and Height of Crown Clearance

A1.6. Radial crown spread is measured in metres and is listed for each of the four cardinal points where access has been possible to obtain a measurement. Where access was not possible to measure the spread of the canopy, such distances have been estimated by eye or informed by aerial photography.

A1.7. The measured canopy shapes have been plotted on the **Tree Constraints Plan (TCP)** at the four cardinal points. For groups of trees, the extent of the canopy has been measured as an average across the group and plotted using the topographical survey mapping. In some instances, Tyler

Grange will use aerial photography to inform the canopy spread of larger tree groups and woodlands where topographical data is limited for such features.

A1.8. The distance between the ground level and the first significant branch or radial tree crown, whichever is the lower, has been measured in metres.

Age Class

A1.9. The age of each tree is defined as follows:

Young - within the first third of reaching full maturity;

Semi-Mature - within the second third of reaching full maturity;

Early-Mature - within the last third of reaching full maturity;

Mature - specimen at full maturity; and

Veteran – tree that, by recognised criteria, shows features of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned.

Physiological and Structural Condition

A1.10. The physiological or structural condition of each tree is defined as either; good, fair, poor or dead. For each tree, where appropriate, notes on the structural integrity are provided on form, taper, forking habit, storm damage, decay, fungi, pests, etc.

A1.11. An assessment of a tree's physiological condition is defined as:

Good – fully functioning biological system showing expectant vitality for the species i.e. normal bud growth, leaf size, crown density and wound closure.

Fair – fully functioning biological system showing below average vitality i.e. reduced bud growth, smaller leaf size, lower crown density and reduced wound closure.

Poor – a biological system with limited functionality showing clear physiological decline, disease or significantly below average vitality i.e. limited bud growth, small and chlorotic leaves, low crown density and limited wound closure.

Dead – tree observed to fully dead with no living parts.

A1.12. An assessment of a tree's structural condition is defined as:

Good – no significant structural defects.

Fair – structural defects which could be alleviated through remedial tree surgery or arboricultural management practices.

Poor – structural defects which cannot be alleviated through tree surgery or arboricultural management practices.

Tree Quality Gradings

A1.13. The value of trees have been assessed in accordance with the BS5837 Cascade Chart for Tree Quality Assessment (See **Appendix 3**). Grading subcategories (1, 2 and 3) reflect arboricultural, landscape and cultural values respectively.

Root Protection Areas

A1.14. The **Tree Constraints Plan** shows the approximate extent of Root Protection Areas (RPAs). The RPAs have been plotted and calculated in accordance with the methodology set out in Appendices C and D of BS5837, using the tree stem diameter dimensions obtained during the site visit.

A1.15. Plotted RPAs serve as a layout design tool indicating the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority.

A1.16. Where pre-existing site conditions or other factors indicate that rooting may occur asymmetrically, a polygon of equivalent area should be produced. Modifications to the shape of the RPA should reflect a soundly based arboricultural assessment of likely root distribution observed on-site. Any deviation in the RPA from the original circular plot should take account of the following factors whilst still providing adequate protection for the root system:

a) the morphology and disposition of the roots, when influenced by past or existing site conditions (e.g. the presence of roads, structures and underground apparatus);

b) topography and drainage;

c) the soil type and structure; and

d) the likely tolerance of the tree to root disturbance or damage, based on factors such as species, age, condition and past management.

A1.17. The plotted RPAs have therefore informed the design of the proposed development where possible. While developing within RPAs should be avoided, special working methods can be adopted to alleviate the RPA disturbance for cases where the development is considered necessary and unavoidable.

Tree Canopies and Shading

A1.18. The distribution of tree canopy cover on and within influence of the site is illustrated on the **TCP**. Canopies have been plotted at cardinal points for individual and groups of trees. The Tree Survey Schedule included at **Appendix 4** to the rear of this report lists the vertical clearance from site ground level to significant tree branching of individual trees. This measurement informs the impacts of accessibility and development beneath tree canopies.

A1.19. The principal tree shadow constraints are shown on the **TCP** and have been plotted in accordance with BS5837 using the current height of surveyed trees. The indicative shade cast by existing surveyed trees signifies the area within which the amenity interests of shading, available daylight and the proximity of trees to any future site uses may be impacted upon should a tree be retained as part of development.



A1.20. Where shading is unavoidable, the potential adverse impact of shadowing should also be reviewed on balance with the positive aspects of retaining a degree of canopy shade. BS5837:2012 (para. 5.3.4, a) NOTE 1) states that "shading can be desirable to reduce glare or excessive solar heating, or to provide comfort during hot weather. The combination of shading, wind speed/turbulence reduction and evapotranspiration effects of trees can be utilised in conjunction with the design of buildings and spaces to provide local microclimatic benefits".

Limitations

A1.21. The comments made are based on observable factors present at the time of inspection. Although the health and stability of trees in their current context is an integral part of their suitability for retention, it must be understood that this report is not a tree risk assessment and should not be construed as such. While every attempt has been made to provide a realistic and accurate assessment of the trees' condition at the time of inspection, it may have not been appropriate, or possible, to view all parts or all sides of every tree to fulfil the assessment criteria of a risk assessment.

A1.22. No tree can be considered entirely safe, given the possibility that exceptionally strong winds could damage or uproot even a mechanically 'perfect' specimen. It is therefore usually accepted that hazards are only recognisable from distinct defects or from other failure-prone characteristics of the tree or the site. An assessment of the potential influence of trees upon existing buildings or other structures resulting from the effects of trees upon shrinkable load-bearing soils or the effects of incremental root or branch growth, are specifically excluded from this report.

Un-assessable Risks

A1.23. Any alteration to the application site or development proposals could change the current circumstances and may invalidate this report and any recommendations made.

A1.24. The Wildlife and Countryside Act (WCA) 1981 (as amended) makes it an offence to disturb nesting birds or recklessly endanger a bat or its roost. Bats are also a European protected species and are additionally protected under the Conservation (Habitats & c) Regulations 1994 and 2010 (as amended). The survey findings, constraints, opportunities and design or mitigation recommendations included within that report must be read alongside this document.

A1.25. A lack of recommended work does not imply that a tree does not pose an unacceptable level of risk and likewise, it should not be implied that a tree will present an acceptable level of risk following the completion of any recommended work.

Appendix 2: Arboricultural Planning Policy

National Planning Policy

A2.1 Planning Policy Wales, Edition 12, (PPW12, February 2024) is the land use planning policy for Wales and should be taken into account when preparing development plans. It is supplemented by a series of Technical Advice Notes (TANs).

A2.2 PPW12, paragraph 6.2.1: "Green infrastructure is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. Component elements of green infrastructure can function at different scales and some components, such as trees and woodland, are often universally present and function at all levels. At the landscape scale green infrastructure can comprise entire ecosystems such as wetlands, waterways, peatlands and mountain ranges or be connected networks of mosaic habitats, including grasslands. At a local scale, it might comprise parks, fields, ponds, natural green spaces, public rights of way, allotments, cemeteries and gardens or may be designed or managed features such as sustainable drainage systems. At smaller scales, individual urban interventions such as street trees, hedgerows, roadside verges, and green roofs/walls can all contribute to green infrastructure networks".

A2.3 PPW12, paragraph 6.4.39: "Planning authorities must protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function. Planning authorities should consider the importance of trees and woodland, particularly native woodland and valued trees, and should have regard to local authority tree strategies or SPG and the Green Infrastructure Assessment".

A2.4 PPW12, paragraph 6.4.40: "Where trees, woodland and hedgerows are present, their retention, protection and integration should be identified within planning applications. Where surveys identify trees, hedgerows, groups of trees and areas of woodland capable of making a significant contribution to the area, these trees should be retained and protected. The provision of services and utilities infrastructure to the application site should also avoid the loss of trees, woodlands or hedges and must be considered as part of the development proposal; where such trees are lost, they will be subject to the replacement planting ratios set out below".

A2.5 PPW12, paragraph 6.4.42: "Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits. Where individual or groups of trees and hedgerows are removed as part of a proposed scheme, planning authorities must first follow the step-wise approach as set out in paragraph 6.4.15. Where loss is unavoidable developers will be required to provide compensatory planting (which is proportionate to the proposed loss as identified through an assessment of green infrastructure Further advice in relation to ancient woodland is available on NRW's website. value including biodiversity, landscape value and carbon capture). Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost. Where a woodland or a shelterbelt area is lost as part of a proposed scheme, the compensation planting must be at a scale, design and species mix reflective of that area lost. In such circumstances, the planting rate must be at a minimum of 1600 trees per hectare for broadleaves, and 2500 trees per hectare for conifers. The planting position for each replacement tree shall be fit to support its establishment

and health, and ensure its unconstrained long-term growth to optimise the environmental and ecological benefits it affords".

A2.6 PPW12, paragraph 6.4.43: "Ancient woodland, semi-natural woodlands, individual ancient, veteran and heritage trees and ancient hedgerows are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees, woodlands and hedgerows are to be afforded protection from development which would result in their loss or deterioration unless very exceptionally there are significant and clearly defined public benefits; this protection must prevent potentially damaging operations and their unnecessary loss. In the case of a site recorded on the Ancient Woodland Inventory, authorities should consider the advice of NRW. Planning authorities should also have regard to the Ancient Tree Inventory, work to improve its completeness and use it to ensure the protection of trees and woodland and identify opportunities for more planting as part of the Green Infrastructure Assessment, particularly in terms of canopy cover".

Local Planning Policy

A2.7 The site lies within the administrative area of Wrexham County Borough Council. The current adopted Development Plan relevant to the site is the Wrexham Local Development Plan (LDP) 2013 - 2028 (Adopted 20th December 2023).

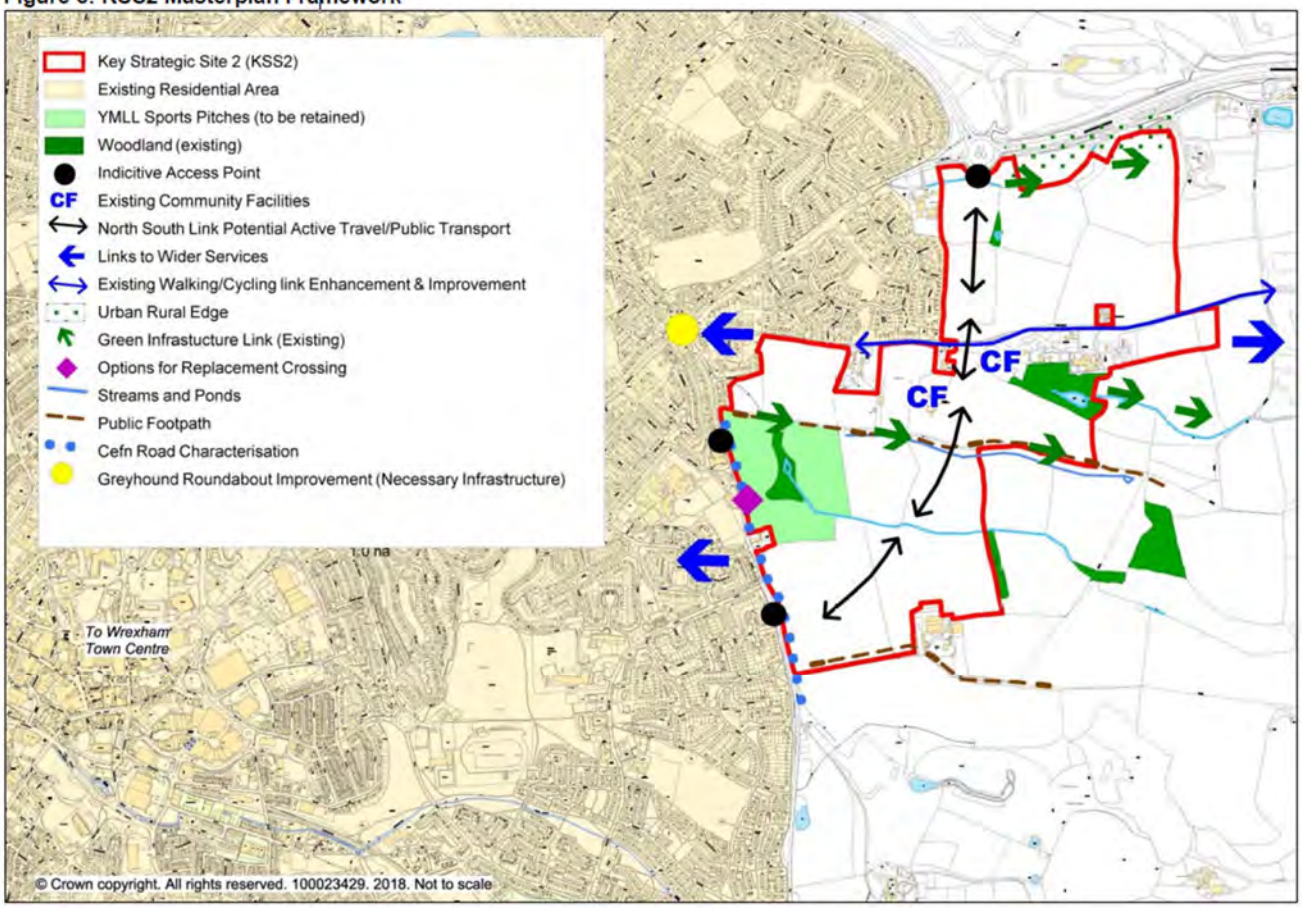
A2.8 Adopted policies relevant to landscape and visual matters are:

A2.9 Policy SP4: KSS2: Land East of Cefn Road, Wrexham. The site is partially allocated for residential-led use with the specific policy wording reading:

"Land is allocated east of Cefn Road, Wrexham as shown on the proposals map to deliver a residential led mixed use scheme with a minimum of 1680 new homes, 1580 of which will be delivered within the plan period. Development will include an element of affordable housing and associated community uses, along with necessary infrastructure which will be delivered in a phased manner with specific details tied into planning consents. Necessary Infrastructure:

- *Highway improvements to address known infrastructure capacity constraints at the Greyhound roundabout;*
- *Ensuring connectivity between the land north and south of Bryn Estyn Road;*
- *Education: on site provision of a 420 place primary school, contributions towards secondary provision in the vicinity of the site and the retention of existing (65,393 m^2) of playing fields for Ysgol Morgan Llwyd;*
- *Public open space;*
- *Community and leisure facilities, including the retention of the Erlas Victorian Walled Garden;*
- *Active Travel; and*
- *Public transport".*

Figure 6: KSS2 Masterplan Framework



A2.10 Policy SP12: Design Principles & Masterplanning Framework states that:

"All development will be required to be of a high quality, sustainable design which makes a positive contribution to the creation of locally distinctive places by complying with the masterplanning framework SPG and KSS schematics. Proposals must demonstrate how they have taken account of the local characteristics of surrounding areas and how innovative design solutions will enhance the quality of the built and natural environment".

A2.11 Policy SP14: Natural Environment states that:

"Development will only be permitted where it seeks to protect, conserve and enhance the natural environment including:

- *Special Areas of Conservation, Special Protection Areas, and Ramsar Sites;*
- *Sites of Special Scientific Interest and National Nature Reserves;*
- *Protected Species and their habitat;*
- *The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty*
- *Local Wildlife Sites;*
- *Local Nature Reserves;*
- *Special Landscape Areas;*

- *Natural landscape features and Green Infrastructure such as trees, hedges and woodland which contribute to the quality and diversity of the natural environment and play an important role in mitigating the impact of climate change;*
- *The quality of natural services including water, soundscape, air and soils; and*
- *Habitats and species of principal importance to Wales".*

A2.12 Policy SP19: Green Infrastructure states that:

"Wrexham's distinctive natural heritage provides a network of green and blue infrastructure. Protection, conservation and enhancement of natural heritage networks needs to be reconciled with the benefits of development. Development will be required to maintain the extent, quality and connectivity of multifunctional green infrastructure on or near a site, and, where appropriate to enhance it by:

i. Creating new interconnected areas of green infrastructure between the proposed site and the existing network;
ii. Filling gaps in the existing network to improve connectivity;
iii. Protecting the features most valuable for both nature and people; and
iv. In instances where loss of green infrastructure is unavoidable, provide mitigation and compensation for the lost assets on a site-specific basis".

A2.13 Policy NE3: Trees, Woodlands and Hedgerows states that:

"Development will only be permitted where it does not cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value or those that provide important ecosystem services. Development affecting all existing and new proposed woodlands should:

i. Support proposals which assist in the respectful and appropriate use and protection of woodlands and boundary edges;
ii. Promote sustainable management to deliver multiple benefits; and
iii. Support the relevant aims and objectives of the Wrexham Tree & Woodland Strategy 2016-2026 and all subsequent amendments.

Where adverse effects cannot justifiably be avoided and sustainable integration is not possible then adequate mitigation will be required. In such cases development should include proposals for the planting of new trees, woodlands, and hedgerows within the site, ensuring connectivity between proposed and existing green infrastructure".

A2.14 The Wrexham Unitary Development Plan 1996-2011 was supported by Supplementary Planning Guidance (SPGs) and planning guidance notes. Following the adoption of the LDP2 (which supersedes the UDP), the Council reviewed the SPG notes against the LDP. Those that remain in general conformance with the LDP2 will be given reasonable weight. In due course, the SPGs will be updated to reflect the adopted LDP. Those of relevance are listed below:

<u>Wrexham Tree and Woodland Strategy (2016 - 2026)</u>

A2.15 The purpose of this strategy is to deliver the aims and objectives for trees and woodlands in the County Borough by:

- Providing a mechanism to improve the provision and care of trees in the County Borough;

- Ensuring that decisions and activities undertaken in relation to trees are made in a structured and consistent way; and

- Monitoring the action plan and policies for the care, management and enhancement of the County Borough's tree population.

A2.16 The document sets out in detail the social, economic and environmental benefits of retaining and providing tree cover. The document promotes the use of larger trees and for increasing canopy coverage across the County Borough. The following objectives will ensure that the strategy's overall aim is delivered:

Objective 1: Increase urban canopy cover relative to available planting space and aim to increase overall urban tree canopy cover to a minimum of 20% by 2026.

Objective 2: Ensure that the County Borough's tree population is healthy, varied in age and diverse in species.

Objective 3: Sustainably manage, protect and enhance the County Borough's tree population to maximise ecological, social and economic benefits.

Objective 4: Manage the risks to people, property and infrastructure from trees ensuring that they are as low as reasonably practicable, taking into account best practice, legal obligations and the costs of undertaking action in relation to the benefits that trees provide.

Objective 5: Appropriately manage and protect 'Trees of Special Interest' (ancient, veteran & notable trees) ensuring none within the control of the Council are lost due to preventable reasons.

Objective 6: Ensure sufficient data and resources are in place to enable the efficient and sustainable management of the County Borough's tree population.

Objective 7: Promote the value of trees and actively involve the community in the management, protection and enhancement of the County Borough's tree population.

17 Trees and Development:

A2.17 This leaflet is applicable to trees, hedgerows and 'large significant shrubs'. The value of trees to the amenity of landscape and streetscenes is recognised for example by breaking up view lines and screening buildings. The Council will expect tree planting along principal frontages and access routes alongside avenue planting on internal roads where practical. Guidance is provided on species selection.

Woodlands for Wales (2009)

A2.18 Woodland for Wales is the Welsh Government's fifty year strategy for woodlands and trees in Wales and includes the following policies, amongst many others:

- Trees and woodlands to be used to enhance the quality of the environmental and in doing so, making a positive contribution to biodiversity, landscape and heritage and the reduction of other environmental pressures.

- That woodlands and trees to be used more creatively in new developments and in the restoration of industrial sites to provide people with better quality, easily accessible green space.

Appendix 3: Cascade Chart for Tree Quality Assessment

TREES FOR REMOVAL				
Category and Definition	**Criteria**			**Identification on Plan**
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (i.e. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning). Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. Trees infected with pathogens of significance to the health and/or safety of other trees nearby or very low-quality trees suppressing adjacent trees of better quality. (**NOTE**: Category U trees can have existing or potential conservation value which it might be desirable to preserve)			DARK RED
TREES TO BE CONSIDERED FOR RETENTION				
Category and Definition	**Criteria - Subcategories**			**Identification on Plan**
	1. Mainly Arboricultural Values	2. Mainly Landscape Values	3. Mainly Cultural Values, including Conservation	
Category A **Trees of high quality** with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	LIGHT GREEN

TREES TO BE CONSIDERED FOR RETENTION				
Category B ***Trees of moderate quality*** *with an estimated remaining life expectancy of at least 20 years*	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remedial defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation.	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural benefits.	MID BLUE
Category C ***Trees of low quality*** *with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm*	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or temporary/transient landscape benefit.	Trees with no material conservation or other cultural value.	GREY

Appendix 4: Tree Survey Schedule

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
T1	Oak	13m	1300	9.00	9.00	11.00	7.00	1.00	Fully Mature	Good	Fair - Good	A1.2	High canopy specimen with rounded form. Some past pruning and historically lifted over PRoW. Prominent mid canopy south facing tear to monitor.	**15m**	707
T2	Sycamore	6m	120	2.50	2.50	2.50	2.00	0.00	Young	Good	Fair - Good	C.1	Young form. Forked at 2m.	**1.44m**	7
T3	Lime	13m	est. 1300	8.00	9.00	6.00	7.00	0.00	Fully Mature	Good	Good	A1.2	Broad crown with notable basal epicormic growth. High canopy specimen with rounded form. Some past pruning and historically lifted over PRoW.	**15m**	707
T4	Oak	13m	900	3.00	2.50	3.00	5.00	0.00	Mature	Fair - Good	Fair - Good	B1.2	Stag headed field side Oak. Structural deadwood / flailed lower limbs with rot holes and tears. Aside from prominent mid canopy south west facing tear to monitor, typical age related defects for maturity and context.	**10.8m**	366
T5	Sycamore	7m	4x100, 3x75	2.00	2.00	3.00	2.50	0.00	Young	Good	Fair - Good	C.1	Self-seeded multistemmed form. Dense canopy with good vigour.	**2.8m**	25
T6	Oak	13m	est. 1000	7.00	8.00	6.00	9.00	2.00	Fully Mature	Good	Good	A1.2	Stag headed field side Oak. Structural deadwood / flailed lower limbs with dense basal elder. Minor dieback, typical for mature form.	**12m**	452
T7	Goat Willow	8m	2x280, 5x30	3.00	3.00	4.00	4.00	0.00	Mature	Good	Fair - Good	B1.2	Northern boundary specimen with multistemmed form. Roadside to north, arable field to south of stem. Screening function.	**3.2m**	32
T8	Oak	12m	900	2.50	6.50	6.00	5.00	4.00	Fully Mature	Fair - Good	Fair	B1.2	Northern boundary specimen with southward lean. Roadside to north, arable field to south of stem. Heavy ivy cladding. Crown lifted over site-side. Southern stem wound with heartwood exposed - decay point to monitor.	**10.8m**	366
T9	Oak	13m	est. 900	7.00	5.00	4.00	7.00	3.00	Fully Mature	Fair - Good	Fair - Good	B1.2	Northern boundary specimen with southward lean. Roadside to north, arable field to south of stem. Heavy ivy cladding. Crown lifted over site-side.	**10.8m**	366

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
T10	Oak	13m	est. 900	6.00	7.00	6.00	5.00	6.00	Fully Mature	Fair - Good	Fair	B1.2	Sparse middle crown. Heavy ivy cladding. Stag-headed form with scrubby arable margin to base.	**10.8m**	366
T11	Oak	8m	c. 450	3.00	5.00	2.00	2.00	2.00	Mature	Fair	Fair	C.1	Stunted by T10. Sparse crown (dieback), historically lifted over site-side.	**5.4m**	92
T12	Sycamore	9m	est. 700	7.00	5.00	6.00	6.00	4.00	Mature	Fair - Good	Fair - Good	B1.2	Cut back along western canopy over site side. Dense crown with good vigour, heavy ivy cladding with stunted form.	**8.4m**	222
T13	Oak	12m	est. 800	8.00	8.00	7.00	6.00	8.00	Mature	Poor	Fair	C.3	Notable dieback and canopy deadwood. Good maturity but poor condition. Monolith potential but limited future potential as amenity specimen.	**9.6m**	290
T14	Sycamore	14m	est. 1100	11.00	8.00	14.00	14.00	4.00	Fully Mature	Fair - Good	Fair - Good	C.3	Basal decay, rot holes and canopy deadwood throughout reducing overall categorisation / future contribution. Lifted over field and path side, historically topped at 10m influencing overall form.	**13.2m**	547
T15	Oak	16m	1400	12.00	13.00	12.00	13.00	4.00	Fully Mature	Good	Good	A1.2	High value - possible veteran candidate. Stag headed, rounded fully mature form.	**15m**	707
T16	Sycamore	12m	c. 350	6.00	6.00	6.00	3.00	4.00	Mature	Fair - Good	Fair	B1.2	Field side sycamore, co-dominant with T17 to west. Ivy clad. Naturalised form with dense crown and basal epicormic growth.	**4.2m**	55
T17	Sycamore	12m	c. 350	5.00	6.00	2.00	7.00	4.00	Mature	Fair - Good	Fair	B1.2	Field side sycamore, co-dominant with T16 to west. Ivy clad. Naturalised form with dense crown and basal epicormic growth.	**4.2m**	55
T18	Sycamore	13m	est. 850	7.00	7.00	7.00	6.00	4.00	Mature	Fair	Poor	B3	Forked at 4m. Ivy clad with hollowed stem. Rot holes throughout.	**10.2m**	327

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
T19	Sycamore	14m	1400	9.00	8.00	9.00	8.00	3.00	Fully Mature	Good	Fair - Good	A1.2	Rounded mature form, high canopy field side specimen. Sparser mid canopy otherwise good vigour.	**15m**	707
T20	Ash	8m	2x200	3.00	4.00	6.00	4.00	1.80	Early Mature	Fair - Good	Fair - Poor	C.1	Self-seeded multistemmed form. Lifted over footpath and field edge. Stunted to east by T21.	**3.4m**	36
T21	Sycamore	8m	3x120	3.00	2.00	4.00	2.00	1.80	Young	Fair - Good	Fair - Poor	C.1	Trifurcated self-seeded sycamore, stunted by T20.	**2.5m**	20
T22	Sycamore	10m	est. 250	4.00	3.00	6.00	3.00	1.80	Early Mature	Fair - Good	Fair	C.1	Field side to north, footpath to south. Stunted by T22 owing to stem density. Dense basal epicormic growth with multistemmed form.	**3m**	28
T23	Sycamore	10m	250, 2x200	4.00	3.00	3.00	4.00	1.80	Early Mature	Fair - Good	Fair	C.1	Field side to north, footpath to south. Stunted by T21 owing to stem density. Dense basal epicormic growth with multistemmed form.	**4.5m**	65
T24	Ash	12m	est. 450	6.00	8.00	7.00	6.00	3.00	Mature	Fair	Fair	B1.2	Roadside influence to west. Site-side lower tears and canopy deadwood throughout. Forked at 4m with sparse crown reducing amenity.	**5.4m**	92
T25	Oak	10m	est. 800	4.00	8.00	6.00	4.00	3.00	Fully Mature	Poor	Fair	B1.2	Eastward lean. Significant deadwood with heavy ivy cladding and dieback. Sparse stag headed form with roadside to west.	**9.6m**	290
T26	Sycamore	9m	est. 450	3.00	3.50	4.00	4.00	3.00	Early Mature	Fair - Good	Fair	C.1	Western boundary roadside sycamore. Heavy ivy cladding obscuring stem. Crown lifted over highway.	**5.4m**	92
T27	Sycamore	8m	est. 400	2.50	2.50	2.50	2.50	3.00	Early Mature	Fair - Good	Fair - Good	C.1	Western boundary roadside sycamore. Heavy ivy cladding obscuring stem. Crown lifted over highway.	**4.8m**	72

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
T28	_	7m	_	0.50	0.50	0.50	0.50	_	Fully Mature	Poor	Poor	U	Ivy clad monolith. Dead specimen.	_	_
T29	Oak	14m	1010	8.00	10.00	10.00	10.00	1.00	Fully Mature	Good	Good	A1.2	Open grown, rounded well-balanced crown with good vigour. Minor past pruning works with amenity grassland to base.	**12.12m**	462
T30	Oak	15m	1600	10.00	14.00	10.00	13.00	1.50	Fully Mature	Good	Good	A1.2	Open grown, rounded well-balanced crown, forked at 3m. Minor past pruning works with notable tear to north west stem (decay point). Amenity grassland and burrowing to base.	**15m**	707
T31	Sycamore	7m	est. 250	2.00	3.00	3.00	4.00	2.00	Early Mature	Fair - Good	Fair	C.1	Roadside specimen. Good vigour, conflicts with street lighting column to west.	**3m**	28
T32	Oak	16m	est. 800	6.50	8.00	7.00	8.00	2.00	Fully Mature	Fair - Good	Fair - Good	A1.2	Rounded, ivy clad high canopy specimen. Roadside western boundary oak with typical age-related deadwood.	**9.6m**	290
T33	Oak	10m	400	6.00	5.00	5.00	5.00	1.80	Early Mature	Fair - Good	Good	B1.2	Rounded form, no significant issues.	**4.8m**	72
T34	Oak	15m	1260	5.00	10.00	6.00	6.00	1.80	Fully Mature	Fair - Good	Fair - Good	A1.2	Open grown, fully mature form. Lifted over amenity grassland with notable tear to north west at 3m / hazard beam / age related deadwood throughout.	**15m**	707
T35	Oak	15m	950	8.00	6.00	5.00	6.00	1.80	Fully Mature	Fair - Good	Fair - Good	B1.2	Open grown, fully mature form. Lifted over amenity grassland with notable tear to south, failed limb and snap-outs. Basal wounds to west and east. Heavy ivy cladding.	**11.4m**	408
T36	Sycamore	13m	est. 800	8.00	8.00	9.00	10.00	4.00	Mature	Fair - Good	Fair - Good	B1.2	Crown lifted. Heavy ivy cladding. Rounded mid to upper canopy. Arable to site-side (east), highway to west. Rot holes and minor dieback / deadwood. Dense epicormic growth.	**9.6m**	290

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
T37	Oak	12m	900	3.00	6.00	7.00	7.00	3.00	Fully Mature	Fair	Fair	B1.2	Within H9 hedgerow. Heavy ivy cladding, basal decay point / wound to west. Stag-headed form, lifted with deadwood throughout.	**10.8m**	366
T38	Oak	12m	est. 1000	7.00	8.00	6.00	8.00	4.00	Fully Mature	Fair - Good	Fair - Good	B1.2	Within H9 hedgerow. Heavy ivy cladding. Stag-headed form, lifted with deadwood throughout.	**12m**	452
T39	Oak	11m	950	7.00	8.00	6.00	8.00	4.00	Fully Mature	Fair - Good	Fair - Good	B1.2	Within H9 hedgerow. Heavy ivy cladding. Stag-headed form, lifted with deadwood throughout.	**11.4m**	408
T40	Oak	10m	est. 1000	6.00	7.00	8.00	7.00	1.50	Fully Mature	Fair - Good	Fair - Good	B1.2	Within H9 hedgerow. Heavy ivy cladding. Stag-headed form, lifted with deadwood throughout.	**12m**	452
T41	Oak	12m	950	8.00	8.00	6.00	7.00	0.00	Fully Mature	Fair - Good	Fair - Good	B1.2	Within G12 tree group, stem obscured. Heavy ivy cladding. Stag-headed form, lifted with deadwood throughout.	**11.4m**	408
T42	Sycamore	12m	est. 500	7.00	7.00	6.00	6.00	4.00	Mature	Fair - Good	Fair - Good	B1.2	Field side sycamore, well-balanced crown with good vigour. Wounding to eastern middle stem, occluding but reduces categorisation.	**6m**	113
T43	Elder	5m	100	1.00	0.50	2.00	2.00	0.00	Young	Fair	Fair	C.1	Self-seeded elder to base of dead oak. Limited value.	**1.2m**	5
T44	Oak	15m	est. 1400	7.00	9.00	8.00	8.00	0.00	Fully Mature	Fair	Fair	A1.2 / B.3	Central decay column retaining good vigour. Possible veteran candidate hence higher grading, despite defects.	**15m**	707
T45	Ash	10m	est. 300	5.00	5.00	5.00	5.00	3.50	Mature	Fair	Fair	B.1	Off-site beyond northern boundary. Past pruning evident, rounded and reduced over footpath (site-side)	**3.6m**	41

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
T46	Oak	14m	est. 800	8.00	8.00	8.00	8.00	2.50	Mature	Fair	Fair	A1.2	Off-site beyond northern boundary. Stag-headed mature form, ivy clad but some past pruning evident, rounded and reduced over footpath (site-side)	**9.6m**	289
T47	Oak	4m	100	2.00	2.00	2.00	2.00	1.50	Young	Fair	Fair	C.1	Self-seeded, young form with no significant issues.	**1.2m**	5
T48	Ash	12m	280	5.00	5.00	5.00	5.00	2.00	Mature	Fair	Fair	C.1	Off-site beyond northern boundary. Past pruning evident, rounded and reduced over footpath (site-side)	**3.36m**	36
T49	Oak	4m	150	1.50	1.50	3.00	4.00	1.00	Young	Fair	Fair	C.1	Self-seeded, young form with no significant issues.	**1.8m**	10
T50	Oak	4m	150	1.50	1.50	3.00	4.00	1.00	Young	Fair	Fair	C.1	Self-seeded, young form with no significant issues.	**1.8m**	10
T51	Sycamore	14m	est. 600	5.00	5.00	8.00	8.00	3.50	Mature	Fair	Fair	A1.2	Off-site beyond northern boundary. Stag-headed mature form, ivy clad but some past pruning evident, rounded and reduced over footpath (site-side)	**7.2m**	163
T52	Hawthorn	3m	2 x 75	1.00	1.00	2.00	3.00	0.00	Young	Fair	Fair	C.1	Self-seeded, young form with no significant issues.	**1.3m**	5
T53	Oak	4m	150	3.00	0.00	3.00	4.00	1.00	Young	Fair	Fair	C.1	Self-seeded, young form with no significant issues.	**1.8m**	10
T54	Oak	10m	est. 300	3.00	2.00	4.00	4.00	1.00	Mature	Fair	Fair	B.1	Off-site beyond northern boundary. Past pruning evident, rounded and reduced over footpath (site-side)	**3.6m**	41

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
T55	Sycamore	13m	700	7.00	6.00	6.00	7.00	2.50	Mature	Poor	Poor	C.1	Prominent cavity / stem wound to site-side at 2m - heartwood and decay points evident. Rot holes and dieback throughout. Poor form with notable failed south eastern lower leader (torn).	**8.4m**	222
T56	Holly	7m	c. 9 x 90	3.00	2.00	1.50	1.50	0.00	Early Mature	Good	Fair	C.1	Outgrown eastern boundary hedgerow tree, shaped by field edge flail cutting. Dense with good vigour.	**3.2m**	33
T57	Ash	11m	590	6.00	6.00	6.00	6.00	4.00	Mature	Good	Good	B.1	Rounded canopy with minor dieback throughout. Lifted over adjoining arable fields.	**7.08m**	158
T58	Sycamore	18m	est. 1000	8.00	9.00	5.00	10.00	2.50	Fully Mature	Fair	Fair	A1.2	High value - possible veteran candidate. Off-site to north east, stag headed, rounded fully mature form. Central decay column with resultant imbalanced crown.	**12m**	452
W1	Rowan, Elder, Whitebeam, Hazel, Apple, Birch, Cherry, Ash, Willow, Oak, Hawthorn, Field Maple, Blackthorn, Sycamore	10 - 12 av. Up to 16m	c. 250	_	_	_	_	0.00	Early Mature to Mature	Fair - Good	Fair - Good	A2	Internal stand of woodland tree cover, bound by amenity grassland. Dense tree stock with scrubby margins. Collective high value as woodland habitat.	**3m**	_
G1	Elder, Privet, Holly, Sycamore, Willow	4 - 8m	est. 100	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair	C.2	Off-site garden trees, naturalised form.	**1.2m**	_
G2	Sycamore, Willow, Elder	6 - 8m	av. 100	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair	C.2	Stands of naturalised field side trees, self-seeded and unmanaged.	**1.2m**	_
G3	Elder, Holly, Sycamore, Hawthorn, Rowan	1 - 2m	50 - 75	_	_	_	_	0.00	Young	Fair - Good	Fair	C.2	Stands of self-seeded field side vegetation with limited maturity.	**0.9m**	_

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
G4	Holly, Sycamore, Elder, Hawthorn, Maple, Apple, Willow, Laurel	4 - 6m	to 100	_	_	_	_	0.00	Early Mature	Fair - Good	Fair	C.2	Residential boundary stock. Continuation of G3, left to mature and grow taller. Some unsympathetic pruning wounds noted (heavy pruning / cutting back). Scrubby arable margin to site-side base.	**1.2m**	_
G5	Hawthorn, Goat Willow, Holly, Sycamore, Elder, Hazel, Guelder Rose	4 - 6m	av. 100	_	_	_	_	0.00	Early Mature	Good	Fair - Good	B.2	Overgrown field side hedgerow forming linear screening belt. Collective moderate value with individually lower value stock. Scrubby arable field margin to base.	**1.2m**	_
G6	Crack Willow, Oak, Goat Willow, Hawthorn, Elder	8 - 10m	av. 200	_	_	_	_	0.00	Young to Mature	Good	Fair - Good	C.2	Mature stand of field side trees and peripheral self-seeded vegetation. Cut back along field edge. Scrubby arable margin to site-side base.	**2.4m**	_
G7	Holly, Oak, Hawthorn, Blackthorn, Sycamore, Field Maple, Elder, Willow	4 - 6m	av. 75, to 350	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair - Good	B.2	Overgrown field side hedgerow trees and peripheral self-seeded vegetation. Cut back along field edge. Scrubby arable margin to site-side base.	**to 4.2m**	_
G8	Aspen, Sycamore, Hawthorn, Elder	to 18m	to 500	_	_	_	_	0.00	Early Mature to Mature	Fair - Good	Fair - Good	B.2	Stand of high canopy field side trees. Ivy clad. Leggy and stunted owing to stem density.	**to 6m**	_
G9	Sycamore	4 - 6m	90	_	_	_	_	0.00	Young	Fair - Good	Fair	C.2	Stand of self seeded sycamore along footpath fence line. Naturalised form with limited maturity.	**1.08m**	_
G10	Lime	4 - 8m	av. 280	_	_	_	_	0.00	Early Mature	Good	Fair - Good	C.2	Stand of successional planting. Bushy form with planting posts in situ.	**3.36m**	_
G11	Sycamore, Ash, Elder, Birch, Oak, Holly, Beech	to 16m	av. 400	_	_	_	_	0.00	Young	Fair - Good	Fair - Good	B.2	Linear belt of field side trees. Amenity grassland to site-side, crowns lifted and ivy clad. No major issues.	**4.8m**	_
G12	Oak, Elder, Hawthorn, Cherry, Blackthorn, Holly, Hazel, Sycamore,	4 - 8m	av. 100	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair	C.2	Naturalised field side trees. Unmanaged. Combination of field edge structure planting, outgrown hedgerow stock and self seeded trees.	**1.2m**	_

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
G13	Elder, Lime, Sycamore, Hawthorn, Elm, Beech, Ash	10 - 12m	to 600	_	_	_	_	2.00	Early Mature to Mature	Good	Good	B.2	Rectangular block of field side trees. High canopy copse of planting cut back from field edge, contained by barbed wire fencing. Standing deadwood present. Naturalised with scattered mature sycamore.	**to 7.2m**	_
G14	Elder, Hawthorn, Sycamore, Willow	5 - 11m	to 400, av. 75.	_	_	_	_	0.00	Early Mature to Mature	Fair - Good	Fair	C.2	Naturalised off-site beyond southern boundary. Field side specimens with bushy form, more mature sycamore with stands of naturalised elm.	**to 4.8m**	_
G15	Elder	3m	50 - 75	_	_	_	_	0.00	Young	Fair - Good	Fair	C.2	Naturalised / self-seeded elder to base of T44. Limited age or value.	**0.9m**	_
G16	Ash, Sycamore, Elder,Elm, Beech, Cherry, Willow, Hawthorn	8 - 14m	to 500	_	_	_	_	0.00	Young to Mature	Fair - Good	Fair - Good	B.2	Naturalised stand of shelter belt planting. Standing / fallen deadwood throughout with self-seeded infill / bracken and scrubby understorey, bound by dilpidated railings.	**6m**	_
G17	Ash, Sycamore, Elder,Elm, Beech, Cherry, Willow, Hawthorn, Douglas Fir	8 - 14m	to 500	_	_	_	_	0.00	Young to Mature	Fair - Good	Fair - Good	B.2	Naturalised stand of shelter belt planting. Standing / fallen deadwood throughout with self-seeded infill / bracken and scrubby understorey, larger firs with notable limb drop.	**6m**	_
G18	Hawthorn, Ash, Sycamore, Holly	6 - 8m	to 300	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair - Good	B.2	Hedgerow tree belt to north side of footpath. Off-site tree beyond northern boundary. Scrubby infill / self seeded younger trees interspersed with larger bushy tree cover forming dense screen.	**3.36m**	_
H1	Holly, Sycamore	2m	est. 100	_	_	_	_	0.00	Early Mature	Fair - Good	Fair	C.2	Naturalised residential boundary stock. Scrubby understorey to site-side edge with self-seeded infill vegetation forming a low screen.	**1.2m**	_
H2	Laurel, Honeysuckle, Lonicera, Cotoneaster, Pampas Grass, Firethorn	1.8m	to 75	_	_	_	_	0.00	Young	Fair - Good	Fair - Good	C.2	Northern boundary ornamental hedgerow planting. Field side scrubby margin to base. Unmanaged form.	**0.9m**	_

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
H3	Elder, Blackthorn, Hawthorn, Guelder Rose, Holly, Elm, Sycamore	to 2.5m	75 - 100	_	_	_	_	0.00	Early Mature	Fair - Good	Fair - Good	C.2	Northern boundary field side hedgerow, bushy form largely intact forming low level screen. Arable field to base.	**1.2m**	_
H4	Hawthorn, Sycamore, Ash, Privet, Holly, Blackthorn	1.8m	75	_	_	_	_	0.00	Young	Fair - Good	Fair	C.2	Naturalised field side hedgerow trees and scrub forming low level nettle clad enclosure.	**0.9m**	_
H5	Sycamore, Ash, Hawthorn, Holly, Blackthorn, Alder	1.2 - 2m	to 100	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair	C.2	Western boundary roadside hedgerow, scrubby site-side margin with roadside verge to west. Bramble and scrub clad.	**1.2m**	_
H6	Elder, Bracken, Hazel, Hawthorn	1.2 - 2m	75	_	_	_	_	0.00	Young	Fair - Good	Fair	C.2	Naturalised field side hedgerow trees and scrub forming low level bracken clad enclosure.	**0.9m**	_
H7	Hawthorn, Bracken, Elm, Blackthorn, Ash, Sycamore	1.2 - 2m	75	_	_	_	_	0.00	Young	Fair	Fair	C.2	Elm and bracken dominated. Scrubby roadside / field edge hedgerow trees forming low level enclosure.	**0.9m**	_
H8	Hawthorn, Elm, Holly, Sycamore	1.2 - 2m	75	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair - Good	C.2	Southern boundary field side hedgerow, scrub clad. Track to south of stems, arable field margin to north (site-side). Flail cut.	**0.9m**	_
H9	Elder, Hawthorn, Bracken	1.2 - 2m	75	_	_	_	_	0.00	Young	Fair - Good	Fair	C.2	Internal hedgerow belt. Scrubby margins. Arable to east, amenity grassland to west.	**0.9m**	_

Tree Number	Common Species Name	Height (m)	Trunk Diameter (mm)	Crown Spread (m)				Height of Crown Clearance (m)	Age Class	Physiological Condition	Structural Condition	BS5837 Category	Comments/Preliminary Management Recommendations	RPA Radius (m)	Root Protection Area (m2)
				N	S	E	W								
H10	Elm, Bracken, Elder, Hawthorn, Holly	1.5 - 2m	75	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair - Good	C.2	Bracken clad field side hedgerow, arable land to base with scrubby field side margin throughout. Breaks for tractor access otherwise largely consistent field side enclosure.	**0.9m**	_
H11	Elm, Bracken, Elder, Hawthorn, Holly, Cherry, Sycamore	1.5 - 2m	75	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair - Good	C.2	Bracken clad field side hedgerow, arable land to base with scrubby field side margin throughout. Breaks for tractor access otherwise largely consistent field side enclosure.	**0.9m**	_
H12	Hawthorn, Beech, Elder, Blackthorn, Elm	1.5 - 2m	75	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair - Good	C.2	Bracken clad field side hedgerow, arable land to base with scrubby field side margin throughout. Breaks for tractor access otherwise largely consistent field side enclosure.	**0.9m**	_
H13	Hawthorn, Beech, Elder, Blackthorn, Elm	1.5 - 2m	75 - 100	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair - Good	C.2	Internal bracken clad field side hedgerow, arable land to base with scrubby field side margin throughout. Breaks for tractor access otherwise largely consistent field side enclosure.	**1.2m**	_
H14	Hawthorn, Elder	1.5 - 2m	120	_	_	_	_	0.00	Young to Early Mature	Fair - Good	Fair - Good	C.2	Eastsern boundary bracken clad field side hedgerow, arable land to base with scrubby field side margin throughout. Breaks for tractor access otherwise largely consistent field side enclosure.	**1.44m**	_

Appendix 5: TPO WCBC_273-2017_Bryn Estyn Road

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

Town and Country Planning Act 1990

The Wrexham County Borough Council, Community of Holt, Tree Preservation Order WCBC No 272 / 2017 – (Erlas House, Bryn Estyn Road, Wrexham, LL13 9TY)

The Wrexham County Borough Council, in exercise of the powers conferred on them by sections 198, 201 and 203 of the Town and Country Planning Act 1990 hereby make the following Order

Citation

1. This Order may be cited as the Wrexham County Borough Council, Community of Holt, Tree Preservation Order WCBC No 272/2017.

Interpretation

2. In this Order "the authority" means the Wrexham County Borough Council and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990.

Application of section 201

3. The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on the 26th July 2017.

Prohibited acts in relation to trees

4. Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners), and subject to article 5, no person shall—

(a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

Exemptions

5.—(1) Nothing in article 4 shall prevent—

(a) the cutting down, topping, lopping or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary—

(i) in the interests of the safe operation of the undertaking;

(ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or

(iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;

(aa) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable the implementation of an order made or confirmed under paragraph 8(1) or paragraph 15(1) of Schedule 1 to the Highways Act 1980 (procedures for making or confirming certain orders and schemes);

(ab) the cutting down, topping, lopping or uprooting of a tree where that work is urgently necessary for national security purposes;

(b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;

(c) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;

(d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);

(e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development Order) 1995;

(f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991; or

(g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in

accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989.

(2) In paragraph (1), "statutory undertaker" means any of the following—

- a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,
- a relevant airport operator (within the meaning of Part V of the Airports Act 1986),
- the holder of a licence under section 6 of the Electricity Act 1989,
- a public gas transporter,
- the holder of a licence under section 7 of the Telecommunications Act 1984 to whom the telecommunications code (within the meaning of that Act) is applied,
- a water or sewerage undertaker,
- the Civil Aviation Authority or a body acting on behalf of that Authority,
- the Post Office.

Applications for consent under the Order

6. An application for consent to the cutting down, topping, lopping or uprooting of any tree in respect of which this Order is for the time being in force shall be made in writing to the authority and shall—

(a) identify the tree or trees to which it relates (if necessary, by reference to a plan);

(b) specify the work for which consent is sought; and

(c) contain a statement of the applicant's reasons for making the application.

Application of provisions of the Town and Country Planning Act 1990

7.—(1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2).

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule.

Directions as to replanting

8.—(1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.

(2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.

(3) A direction under paragraph (1) may include requirements as to—

(a) species;

(b) number of trees per hectare;

(c) the preparation of the relevant land prior to the replanting; and

(d) the erection of fencing necessary for the protection of the newly planted trees.

Compensation

9.—(1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of—

(a) the refusal of any consent required under this Order; or

(b) the grant of any such consent subject to conditions,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

(2) No claim, other than a claim made under paragraph (3), may be made under this article—

(a) if more than 12 months has elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or

(b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, they shall not be required to pay compensation to any person other than the owner of the land;

and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any other case, no compensation shall be payable to a person—

(a) for loss of development value or other diminution in the value of the land;

(b) for loss or damage which, having regard to the statement of reasons submitted in accordance with article 6(c) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions;

(c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or

(d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.

(5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

(6) In this article—

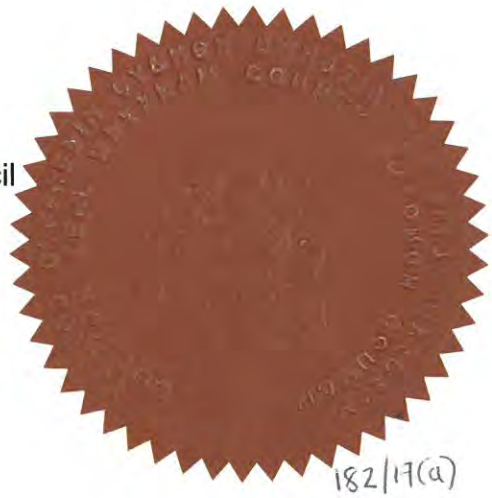
"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

"owner" has the meaning given to it by section 34 of the Forestry Act 1967.

[**Application to trees to be planted pursuant to a condition**
[10.] In relation to the tree[s] identified in the first column of Schedule 1 by the letter "**C**", being [a tree] [trees] to be planted pursuant to a condition (being a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees)), this Order takes effect as from the time when [that tree is planted] [those trees are planted].]

Dated the 26th day of July 2017

The Common Seal of the Wrexham County Borough Council was hereunto affixed in the presence of -



.....]

Signed on behalf of the Wrexham County Borough Council

Service Manager

(Legal, Democratic and Registration Services)

.....

Authorised by the Council to sign in that behalf

182/17(a)

CONFIRMATION OF ORDER

This Order was confirmed by the Wrexham County Borough Council without modification on the ....15th..... day of ...DECEMBER 2017.....

OR

This Order was confirmed by the Wrexham County Borough C
to the modifications indicated by .....
day of .....

.....
Authorised by the Council to sign in that behalf

302/17(a)

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Wrexham County Borough Council on the .....day of .....

.....
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Wrexham County Borough Council on the ..... day of .....under the reference number
.....

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Wrexham County Borough Council on the ..... day of ..... under the reference number
.....

.....
Authorised by the Council to sign in that behalf

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation (Grid Ref)
T1	Oak	SJ359511
T2	Goat willow	"
T3	Sycamore	"
T4	Willow	"
T5	Oak	"
T6	Oak	"
T7	Oak	"
T8	Oak	"
T9	Mulberry	"
T10	Beech	SJ361511
T11	Holm Oak	SJ361512
T12	Cedar	"
T13	Cedar	"
T14	Cedar	"
T15	Pine	"
T16	Willow	"
T17	Willow	"
T18	Cherry	"
T19	Oak	"
T20	Sweet Chestnut	"
T21	Spruce	SJ362512
T22	Yew	"
T23	Yew	"
T24	Norway Maple	"
T25	Yew	"
T26	Yew	"
T27	Yew	"
T28	Sweet Chestnut	"
T29	Sycamore	"
T30	Lime	"
T31	Beech	"
T32	Beech	"
T33	Sycamore	"
T34	Sweet Chestnut	"
T35	Sweet Chestnut	"
T36	Beech	"
T37	Beech	"
T38	Beech	"
T39	Beech	"
T40	Beech	"

T41	Beech	"
T42	Beech	"
T43	Yew	"
T44	Sycamore	"
T45	Beech	"
T46	Sycamore	"
T47	Beech	SJ363512
T48	Beech	"
T49	Beech	"
T50	Lime	SJ361512
T51	Beech	"
T52	Oak	"
T53	Beech	"
T54	Beech	"
T55	Oak	"
T56	Sweet Chestnut	"
T57	Sweet Chestnut	"
T58	Beech	"
T59	Beech	"
T60	Sycamore	"
T61	Sycamore	"

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on map	Description	Situation
None		

Groups of trees
(within a broken black line on the map)

Reference on map	Description (including number of trees in the group)	Situation
G1	41 No Western Red Cedar	SJ35975115
G2	5 No Yew	SJ36245121
G3	13 No Sycamore	SJ36295125
G4	6 No Poplar	SJ36245127
G5	3 No Yews,10 No Holly	SJ36075117

Woodlands

(within a continuous black line on the map)

Reference on map	Description	Situation
W1	Sycamore, Oak, Yew, Holly, Horse chestnut, Willow, Ash, Beech, Birch, Atlas cedar, Douglas fir, Lime.	SJ361510
W2	9.0m wide linear strip of Beech, Elm, Holly, Sycamore, Ash, Hawthorn	SJ360512

SCHEDULE 2

PART I
PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990 APPLIED WITH ADAPTATIONS OR MODIFICATIONS

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
Section 69 (registers)	(a) In subsection (1)— (i) omit— ", in such manner as may be prescribed by a development order,", "such" in the second place where it appears, and "as may be so prescribed"; and (ii) substitute "matters relevant to tree preservation orders made by the authority" for "applications for planning permission". (b) In subsection (2)— (i) after "contain" insert ", as regards each such order"; and (ii) for paragraphs (a) and (b) substitute— (a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and (b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.". (c) Omit subsections (3) and (4) (as required by section 198(4)).
Section 70	(a) In subsection (1)—

(determination of applications: general considerations)	(i) substitute— "Subject to subsections (1A) and (1B), where" for "Where"; "the authority" for "a local planning authority"; "consent under a tree preservation order" for "planning permission" where those words first appear; and "consent under the order" for "planning permission" in both of the other places where those words appear; (ii) after "think fit", insert— "(including conditions limiting the duration of the consent or requiring the replacement of trees)"; and (iii) omit "subject to sections 91 and 92,". (b) After subsection (1) insert— "(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area. (1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).". (c) Omit subsections (2) and (3).
Section 75 (effect of planning permission)	(a) In subsection (1) substitute— (i) "Any" for the words from "Without" to "any"; (ii) "consent under a tree preservation order" for

	"planning permission to develop land"; (iii) "the consent" for "the permission"; and (iv) "the land to which the order relates" for "the land". (b) Omit subsections (2) and (3).
Section 78 (right to appeal against planning decisions and failure to take such decisions)	(a) In subsection (1) substitute— (i) "the authority" for "a local planning authority"; (ii) "consent under a tree preservation order" for "planning permission" in the first place where those words appear; (iii) "consent under such an order" for "planning permission" in the second place where those words appear; (iv) for paragraph (c) substitute— "(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or (d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,". (b) Omit subsection (2). (c) In subsection (3) for "served within such time and in such manner as may be prescribed by a development order." substitute— "in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served— (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1),

	within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow; (b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.". (d) For subsection (4), substitute— "(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3).". (e) For subsection (5), substitute— "(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.".
Section79 (determination of appeals)	(a) In subsections (1) and (2), substitute "the authority" for "the local planning authority". (b) Omit subsection (3). (c) In subsection (4), substitute— (i) "section 70(1), (1A) and (1B)" for "sections 70, 72(1) and (5), 73 and 73A and Part I of Schedule 5"; (ii) "consent under a tree preservation order" for "planning permission"; and (iii) "the authority" for "the local planning authority and a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development order by virtue of sections 65 or 71.".

	(d) Omit subsections (6) and (6A). (e) In subsection (7), omit the words after "section 78".

PART II
PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS ADAPTED AND MODIFIED BY PART I

The following provisions of the Town and Country Planning Act 1990, as adapted and modified by Part I of this Schedule, apply in relation to consents, and applications for consent, under this Order.

Section 69

(1) Every local planning authority shall keep a register containing information with respect to matters relevant to tree preservation orders made by the authority.

(2) The register shall contain, as regards each such order—

(a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and

(b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.

.....

(5) Every register kept under this section shall be available for inspection by the public at all reasonable hours.

Section 70

(1) Subject to subsections (1A) and (1B), where an application is made to the authority for consent under a tree preservation order—

(a) they may grant consent under the order, either unconditionally or subject to such conditions as they think fit (including conditions limiting the duration of the consent or requiring the replacement of trees); or

(b) they may refuse consent under the order.

(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.

(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).

Section 75

Any grant of consent under a tree preservation order shall (except in so far as the consent otherwise provides) enure for the benefit of the land to which the order relates and of all persons for the time being interested in it.

Section 78

(1) Where the authority—

(a) refuse an application for consent under a tree preservation order or grant it subject to conditions;

(b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an order or grant it subject to conditions;

(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or

(d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,

the applicant may by notice appeal to the Secretary of State.

.....

(3) Any appeal under this section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served—

(a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;

(b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.

(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3).

(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.

Section 79

(1) On an appeal under section 78 the Secretary of State may—

(a) allow or dismiss the appeal, or

(b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it had been made to him in the first instance.

(2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

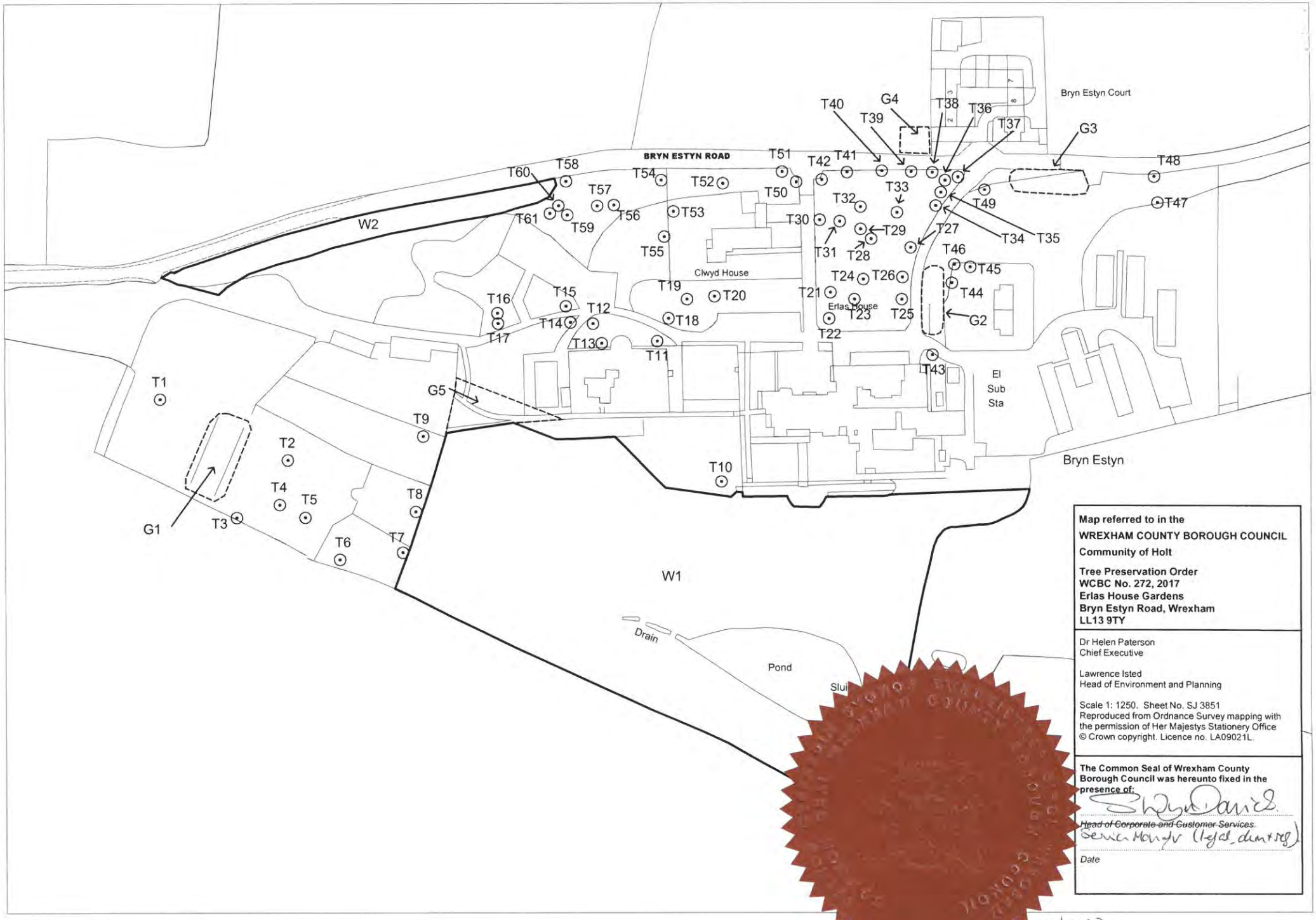
.....

(4) Subject to subsection (2), the provisions of section 70(1), (1A) and (1B) shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 as they apply in relation to an application for consent under a tree preservation order which falls to be determined by the authority.

(5) The decision of the Secretary of State on such an appeal shall be final.

.....

(7) Schedule 6 applies to appeals under section 78.



Map referred to in the
WREXHAM COUNTY BOROUGH COUNCIL
Community of Holt

Tree Preservation Order
WCBC No. 272, 2017
Erlas House Gardens
Bryn Estyn Road, Wrexham
LL13 9TY

Dr Helen Paterson
Chief Executive

Lawrence Isted
Head of Environment and Planning

Scale 1: 1250. Sheet No. SJ 3851
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The Common Seal of Wrexham County Borough Council was hereunto fixed in the presence of:

~~Head of Corporate and Customer Services~~
Senior Manager (Legal, Governance)

Date

182/17(a)

Appendix 6: TPO WCBC_272-2017_Erlas House

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

Town and Country Planning Act 1990

The Wrexham County Borough Council, Communities of Abenbury, Caia Park and Acton, Tree Preservation Order WCBC No 273 / 2017 – (Bryn Estyn Road, Wrexham)

The Wrexham County Borough Council, in exercise of the powers conferred on them by sections 198, 201 and 203 of the Town and Country Planning Act 1990 hereby make the following Order

Citation

1. This Order may be cited as the Wrexham County Borough Council, Communities of Abenbury, Caia Park and Acton, Tree Preservation Order WCBC No 273 / 2017.

Interpretation

2. In this Order "the authority" means the Wrexham County Borough Council and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990.

Application of section 201

3. The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on the 4th September 2017.

Prohibited acts in relation to trees

4. Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners), and subject to article 5, no person shall—

(a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

Exemptions

5.—(1) Nothing in article 4 shall prevent—

(a) the cutting down, topping, lopping or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary—

(i) in the interests of the safe operation of the undertaking;

(ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or

(iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;

(aa) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable the implementation of an order made or confirmed under paragraph 8(1) or paragraph 15(1) of Schedule 1 to the Highways Act 1980 (procedures for making or confirming certain orders and schemes);

(ab) the cutting down, topping, lopping or uprooting of a tree where that work is urgently necessary for national security purposes;

(b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;

(c) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;

(d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);

(e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development Order) 1995;

(f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991; or

(g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989.

(2) In paragraph (1), "statutory undertaker" means any of the following—

- a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,
- a relevant airport operator (within the meaning of Part V of the Airports Act 1986),
- the holder of a licence under section 6 of the Electricity Act 1989,
- a public gas transporter,
- the holder of a licence under section 7 of the Telecommunications Act 1984 to whom the telecommunications code (within the meaning of that Act) is applied,
- a water or sewerage undertaker,
- the Civil Aviation Authority or a body acting on behalf of that Authority,
- the Post Office.

Applications for consent under the Order

6. An application for consent to the cutting down, topping, lopping or uprooting of any tree in respect of which this Order is for the time being in force shall be made in writing to the authority and shall—

(a) identify the tree or trees to which it relates (if necessary, by reference to a plan);

(b) specify the work for which consent is sought; and

(c) contain a statement of the applicant's reasons for making the application.

Application of provisions of the Town and Country Planning Act 1990

7.—(1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2).

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule.

Directions as to replanting

8.—(1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.

(2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.

(3) A direction under paragraph (1) may include requirements as to—

(a) species;

(b) number of trees per hectare;

(c) the preparation of the relevant land prior to the replanting; and

(d) the erection of fencing necessary for the protection of the newly planted trees.

Compensation

9.—(1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of—

(a) the refusal of any consent required under this Order; or

(b) the grant of any such consent subject to conditions,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

(2) No claim, other than a claim made under paragraph (3), may be made under this article—

(a) if more than 12 months has elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or

(b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, they shall not be

required to pay compensation to any person other than the owner of the land; and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any other case, no compensation shall be payable to a person—

(a) for loss of development value or other diminution in the value of the land;

(b) for loss or damage which, having regard to the statement of reasons submitted in accordance with article 6(c) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions;

(c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or

(d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.

(5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

(6) In this article—

"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

"owner" has the meaning given to it by section 34 of the Forestry Act 1967.

[**Application to trees to be planted pursuant to a condition**
[10.] In relation to the tree[s] identified in the first column of Schedule 1 by the letter "**C**", being [a tree] [trees] to be planted pursuant to a condition (being a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees)), this Order takes effect as from the time when [that tree is planted] [those trees are planted].]

Dated the 4th day of September 2017.

The Common Seal of the Wrexham County Borough Council was hereunto affixed in the presence of -

.....]

Signed on behalf of the Wrexham County Borough Council

.....

Authorised by the Council to sign in that behalf

209/17(a)

CONFIRMATION OF ORDER

This Order was confirmed by the Wrexham County Borough Council without modification on the ..5th.. day of ..February..2018..

OR

This Order was confirmed by the Wrexham County Borough C
to the modifications indicated by .....
day of .....

.....
Authorised by the Council to sign in that behalf

48/18(a)

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Wrexham County Borough Council on the .....day of .....

.....
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Wrexham County Borough Council on the ..... day of .....under the reference number
.....

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Wrexham County Borough Council on the ..... day of ..... under the reference number
.....

.....
Authorised by the Council to sign in that behalf

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation (Grid Ref)
T1	ash	SJ 35325123
T2	pine	SJ 35335123
T3	ash	SJ 35315125
T4	cypress	SJ 35335125
T5	ash	SJ 35375124
T6	sycamore	SJ 35405123
T7	oak	SJ 35455122
T8	oak	SJ 35535120
T9	oak	SJ 35565120
T10	sycamore	SJ 35645122
T11	oak	SJ 35715121
T12	oak	SJ 35755122
T13	ash	SJ 35775121

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on map	Description	Situation
None		

Groups of trees
(within a broken black line on the map)

Reference on map	Description (including number of trees in the group)	Situation
None		

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
None		

SCHEDULE 2

PART I

PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990 APPLIED WITH ADAPTATIONS OR MODIFICATIONS

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
Section 69 (registers)	(a) In subsection (1)— (i) omit— ", in such manner as may be prescribed by a development order,", "such" in the second place where it appears, and "as may be so prescribed"; and (ii) substitute "matters relevant to tree preservation orders made by the authority" for "applications for planning permission". (b) In subsection (2)— (i) after "contain" insert ", as regards each such order"; and (ii) for paragraphs (a) and (b) substitute— (a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and (b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.". (c) Omit subsections (3) and (4) (as required by section 198(4)).
Section 70	(a) In subsection (1)—

(determination of applications: general considerations)	(i) substitute— "Subject to subsections (1A) and (1B), where" for "Where"; "the authority" for "a local planning authority"; "consent under a tree preservation order" for "planning permission" where those words first appear; and "consent under the order" for "planning permission" in both of the other places where those words appear; (ii) after "think fit", insert— "(including conditions limiting the duration of the consent or requiring the replacement of trees)"; and (iii) omit "subject to sections 91 and 92,". (b) After subsection (1) insert— "(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area. (1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).". (c) Omit subsections (2) and (3).
Section 75 (effect of planning permission)	(a) In subsection (1) substitute— (i) "Any" for the words from "Without" to "any"; (ii) "consent under a tree preservation order" for

	"planning permission to develop land"; (iii) "the consent" for "the permission"; and (iv) "the land to which the order relates" for "the land". (b) Omit subsections (2) and (3).
Section 78 (right to appeal against planning decisions and failure to take such decisions)	(a) In subsection (1) substitute— (i) "the authority" for "a local planning authority"; (ii) "consent under a tree preservation order" for "planning permission" in the first place where those words appear; (iii) "consent under such an order" for "planning permission" in the second place where those words appear; (iv) for paragraph (c) substitute— "(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or (d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,". (b) Omit subsection (2). (c) In subsection (3) for "served within such time and in such manner as may be prescribed by a development order." substitute— "in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served— (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1),

	within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow; (b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.". (d) For subsection (4), substitute— "(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3).". (e) For subsection (5), substitute— "(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.".
Section79 (determination of appeals)	(a) In subsections (1) and (2), substitute "the authority" for "the local planning authority". (b) Omit subsection (3). (c) In subsection (4), substitute— (i) "section 70(1), (1A) and (1B)" for "sections 70, 72(1) and (5), 73 and 73A and Part I of Schedule 5"; (ii) "consent under a tree preservation order" for "planning permission"; and (iii) "the authority" for "the local planning authority and a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development order by virtue of sections 65 or 71.".

	(d) Omit subsections (6) and (6A). (e) In subsection (7), omit the words after "section 78".

PART II
PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990,
AS ADAPTED AND MODIFIED BY PART I

The following provisions of the Town and Country Planning Act 1990, as adapted and modified by Part I of this Schedule, apply in relation to consents, and applications for consent, under this Order.

Section 69

(1) Every local planning authority shall keep a register containing information with respect to matters relevant to tree preservation orders made by the authority.

(2) The register shall contain, as regards each such order—

(a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and

(b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.

.....

(5) Every register kept under this section shall be available for inspection by the public at all reasonable hours.

Section 70

(1) Subject to subsections (1A) and (1B), where an application is made to the authority for consent under a tree preservation order—

(a) they may grant consent under the order, either unconditionally or subject to such conditions as they think fit (including conditions limiting the duration of the consent or requiring the replacement of trees); or

(b) they may refuse consent under the order.

(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.

(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).

Section 75

Any grant of consent under a tree preservation order shall (except in so far as the consent otherwise provides) enure for the benefit of the land to which the order relates and of all persons for the time being interested in it.

Section 78

(1) Where the authority—

(a) refuse an application for consent under a tree preservation order or grant it subject to conditions;

(b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an order or grant it subject to conditions;

(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or

(d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,

the applicant may by notice appeal to the Secretary of State.

.....

(3) Any appeal under this section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served—

(a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;

(b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.

(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3).

(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.

Section 79

(1) On an appeal under section 78 the Secretary of State may—

(a) allow or dismiss the appeal, or

(b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it had been made to him in the first instance.

(2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

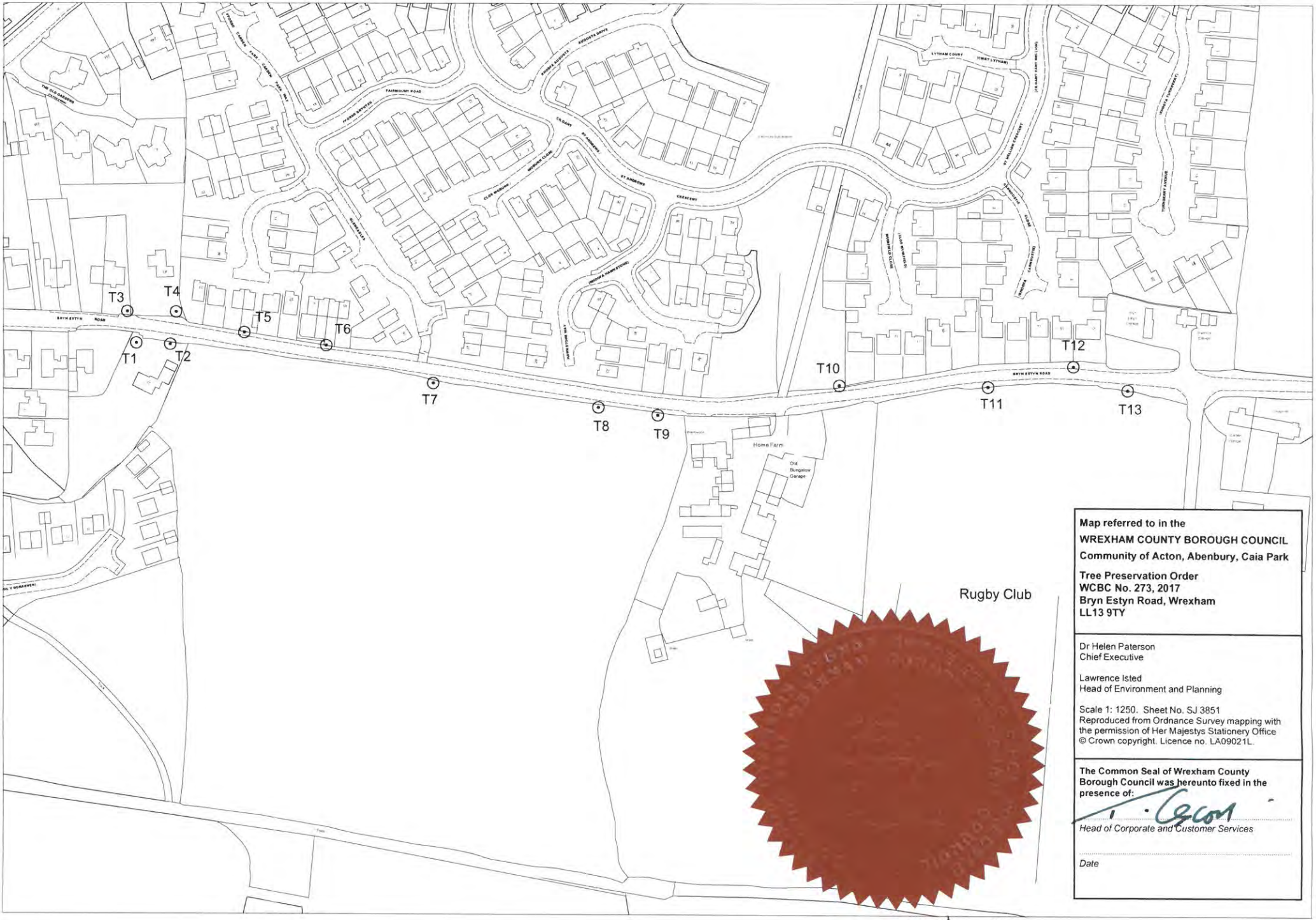
.....

(4) Subject to subsection (2), the provisions of section 70(1), (1A) and (1B) shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 as they apply in relation to an application for consent under a tree preservation order which falls to be determined by the authority.

(5) The decision of the Secretary of State on such an appeal shall be final.

.....

(7) Schedule 6 applies to appeals under section 78.



Map referred to in the
WREXHAM COUNTY BOROUGH COUNCIL
Community of Acton, Abenbury, Caia Park

Tree Preservation Order
WCBC No. 273, 2017
Bryn Estyn Road, Wrexham
LL13 9TY

Dr Helen Paterson
Chief Executive

Lawrence Isted
Head of Environment and Planning

Scale 1: 1250. Sheet No. SJ 3851
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The Common Seal of Wrexham County Borough Council was hereunto fixed in the presence of:

Head of Corporate and Customer Services

Date

209/17(a)

Plans:

13539/P10c: Tree Constraints Plan

13539/P11d: Tree Retention and Removal Plan



Site Boundary

Category A - Trees of High Quality and Value

Category B - Trees of Moderate Quality and Value

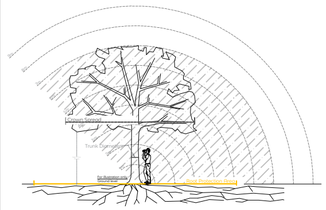
Category C - Trees of Low Quality and Value

Category U - Trees in Poor Condition

Root Protection Areas

Tree Shading Constraints

*Denotes trees and groups not identified on



0m 20m 40m 60m 80m 100m

Scale @ 1:2,500

North

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Tyler Grange

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Project title

Erlas Park, Wrexham (Parc Erlas, Wrecsam)

Drawing title

Tree Constraints Plan

Scale 1:2,500 @ A2
Date 28.01.2025
Drawn MB
Checked JJ

Drawing number

13539/P10c

Potential partial removal of G3, H1 and trees T20 and T20 (all Category C) to implement proposed internal highways arrangement

Potential internal sectional removals from hedgerows H13 and H10 to implement proposed internal highway arrangement

Proposed removal of Category C T27, Category U T28 and sectional losses within H5 hedgerow to implement Cefn Road pedestrian connection / shared footway and cycle way. New hedgerow, incorporating translocated mature rooting stock from H5, will be implemented to the immediate east of the removed section of hedge to offer a direct mitigation response

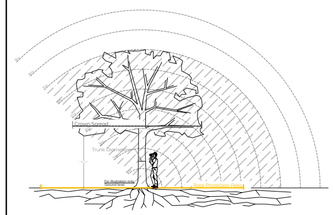
11v11 Football Pitch 80m x 50m

Proposed sectional removal within H12 (Category C)

Proposed sectional removals of H7 (Category C) to implement western boundary access arrangement

- Site Boundary
- Category A - Trees of High Quality and Value
- Category B - Trees of Moderate Quality and Value
- Category C - Trees of Low Quality and Value
- Category U - Trees in Poor Condition
- Root Protection Areas
- Tree Shading Constraints
- Proposed tree removals

*Denotes trees and groups not identified on supplied topographical survey. Locations approximated using measurements taken on site.



Scale @ 1:2,500

0m 20m 40m 60m 80m 100m

North

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Tyler Grange

Landscape | Ecology | Arboriculture