

Memorandum

To: Martin Sutton

Copy to: Trees, Stephen Shields

From: Kirsty Prescott

Date: 20th May 2025

Subject: TPO Confirmation

TPO Ref: SC/00527/24

**Tree Preservation Order for which representations have been received.
Proposed for confirmation without modification.**

The Shropshire Council (Land at Water Lane, Shrewsbury) TPO 2024

1.0 This Tree Preservation Order (TPO) was created on 18th November 2024. The reason for making the TPO was to preserve the visual amenity and character of the area by protecting trees that make a significant contribution to these attributes.

2.0 Two objections have been received on the grounds of public safety, maintenance concerns, and tree condition. The representations were received from residents neighbouring the site and are summarised below with corresponding responses:

Reason for Objection	Response
Trees pose a risk to public safety and to the occupiers of the surrounding dwellings.	While concerns about tree safety during severe weather events are valid, no formal evidence has been submitted indicating that the trees present an imminent danger. The TPO legislation permits works, including removal, where trees are dead, dying, or dangerous. Should objective evidence of risk be identified, an application can be made or exemption claimed. Tree hazards and associated risks can be assessed through inspection and, as with all trees where failure could result in harm,

	it is advised that the trees be regularly inspected by a suitably skilled and qualified person.
Trees are unmanaged, neglected, not aesthetically valuable, and unsuitable for the urban environment.	These trees currently provide high amenity value, contribute to local character, and provide benefits such as shade and pollution mitigation. No evidence has been submitted to objectively declare these trees as unsuitable for their environment. However, appropriate maintenance, including pruning, may be considered through formal application.
Residents argue that the Council has a duty of care to manage the risk posed by these trees.	The TPO does not prevent the landowner from undertaking safety work following an approved application or exemption. Any perceived risk should be assessed and addressed accordingly under the existing legislative framework.
Planning application proposing removal and replacement of the trees. They believe this is a more suitable and logical solution.	If a valid planning application is submitted and approved, it may override the TPO, depending on the scope of the development and the trees affected. This TPO ensures that any works to the trees prior to planning consent are appropriately assessed. The planning process will take public safety and amenity into account.

3.0 Conclusion

The objections raise important points regarding public safety, particularly in light of recent storm events. However, the TPO mechanism includes clear provisions to manage these risks. Tree removal or remedial work can be authorised through application or exemption, where supported by evidence.

Recommendation:

That The Shropshire Council (Land at Water Lane, Shrewsbury) TPO 2024 be **confirmed without modification**, while acknowledging the need for further tree inspection to ensure public safety is being appropriately managed.

Kirsty Prescott

Kirsty Prescott
Tree and Urban Forest Apprentice

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