

Gerard Rogers  
Local Government and Regulatory Law Manager,  
Town Hall  
Chesterfield  
S40 1LP

Dear Gerard,

**Re: Objection to TPO No. 346, 2017 – Former Chamber of Commerce site, Canal Wharf, Stonegravels, Chesterfield**

In response to the formal notice received in respect of Tree Preservation Order (No. 346), made by Chesterfield Borough Council on 7<sup>th</sup> September 2017, we wish to register objections to this order on behalf of East Midlands Chamber (the Landowner).

For the purposes of Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulation 2012, the trees pursuant to the order are identified as T1, T2, T3, T4, T5, T6 and T7. As the Council will be aware, an Arboricultural Survey has previously be prepared for the entirety of the Chamber of Commerce site, and formed part of the planning application submission reference CHE/17/00237/OUT. This document is enclosed for further reference.

The Arboricultural Survey was prepared by Anderson Tree Care and confirmed the presence of TPO species to the west of the Chamber's site (TPO No. 215, 2002). The remainder of the trees within the site, as identified at Appendix 1 of the attached survey, were not subject to TPO. The current TPO seeks to protect 7 additional trees on the grounds that:

*“the order comprises seven individual trees, which significantly enhance the character and appearance of the locality. The trees are in prominent position and can be seen from the public highway and as such they are considered an amenity enjoyed by the general public”*

In response to this, the following objections are raised to the TPO:

1. The tree species included within the TPO are not of a sufficient quality to warrant protection. This view is supported by the information contained within the Anderson Tree Survey as summarised below:
  - In respect of Trees T1 and T2 (Anderson survey No. T12 and T13) – These are classified in the Anderson survey within category C1, indicating that they are low quality trees of limited merit.
  - In respect of T3 (Anderson survey No. T15) – This is classified in the Anderson survey within category C1, indicating that they are low quality tree of limited merit.

This tree is also located within close proximity of the existing boundary wall and poses a potential future risk to the stability of this structure.

- In respect of T4 (Anderson survey No. T1 - This is classified in the Anderson survey within category C1, indicating that they are low quality tree of limited merit. This tree is close to the existing site entrance and car parking area and poses a risk to the future stability of these areas.
  - In respect of T5 (Anderson survey No. T3) – This is classified in the Anderson survey within category C1, indicating that they are low quality tree of limited merit. The tree is located within close proximity to the boundary wall of the site and to T6, offering little room for growth and resulting in overcrowding.
  - In respect of T6 (Anderson survey No. T2) – This is classified in the Anderson survey within category U, indicating that this tree is in such a condition that it cannot be retained in the long term
  - In respect of T7 (Anderson survey No. T5) – This is classified in the Anderson survey within category C1, indicating that they are low quality tree of limited merit. T7 is not widely visible from public view, providing limited amenity benefit and is located close to the boundary with neighbouring garages, causing a potential nuisance to those properties.
2. There is no evidence that an Amenity Assessment has been undertaken by the Council to support the justification provided for the TPO, that it has been made in the interest of public amenity. Public visibility alone is not sufficient to warrant an Order. The authority is required to also assess the particular importance of individual trees with reference to their specific characteristics. As set out above, Anderson Tree Care have formally assessed the characteristics of the subject trees and do not consider their character to be sufficient to warrant the Order.
  3. Finally, the TPO has been triggered by a recent planning application for the redevelopment of the site. The proposals presently indicate the retention of the TPO trees within the site layout. Upon future consideration of a detailed planning application either party (applicant or Council) could consider it more appropriate to remove some trees in order to replant species that are more appropriate within the site. This may be in order to prevent future damage to properties and/or to introduce higher quality species, which will enhance the amenity of the site frontage. Such matters can be considered by planning officers during the determination of a detailed planning application for the site.

Within the context of the above, we formally object to TPO 346, 2017 and request that this order is withdrawn.



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Should you require any clarification regarding the above please do not hesitate to contact me on 0114 228 9190.

Yours Faithfully

A handwritten signature in black ink, appearing to be 'Clare Plant', written over a horizontal line.

Clare Plant BA (Hons) MSc MRTPI  
Associate Director