

25/00075/TORDER

Objector Mike Downes on behalf of Knightwood Trust Farms Ltd

Location Land South of Granby Lane, Whatton

Objection To the Whatton No.1 Tree Preservation Order (TPO) 2025

Ward Cranmer

THE SITE AND SURROUNDINGS

1. The trees are located within a roadside verge on a small countryside lane 1.5km to the southwest of the village of Whatton. The lane serves around 4 properties but links to a public right of way.

DETAILS OF THE TREE PRESERVATION ORDER

2. The TPO was made on the 7th May 2025. Under the Town and Country Planning (Tree Preservation) (England) Regulations 2012 the Order takes effect provisionally and needs to be confirmed within 6 months of the date it was made. The Council has a duty to consider all objections and representations that have been made.

SITE HISTORY

3. Planning officers were considering an application, Reference: 25/00564/VAR, to vary condition 2 (Plans) and removal of condition 6 (Landscaping) and 15 (Acoustic Fence) for 23/02308/VAR to amend the approved design. During this process they became concerned that in future the developer may wish to create a new access to the road and whether this would affect trees in the vicinity.
4. The site was inspected and 4 trees were identified along the relevant section of verge, 2 of the trees were poor specimens, but 2 Lime trees were considered to have sufficient aesthetic quality, condition, public amenity value to warrant protection.

REPRESENTATIONS

Ward Councillor(s)

5. The local Councillor was consulted who raised no concerns and welcomed the effort being made.

Local Residents and the General Public

6. The landowners were consulted and an objection has been received on behalf of Knightwood Trust Farms Ltd for the following reasons.

7. The trees are mature yet unremarkable. They are located on their land alongside a private roadway serving their farm and alongside a current barn conversion which is no longer in their ownership.
8. The objection understands the TPO has been made to protect the trees in the event of a new independent access being created to the barn conversion, although they believe there is no necessity or intention to remove either specimen.
9. There has been no consideration to the maintenance implications for Knightwood who retain responsibility for the trees and now face the prospect of having to make applications to the Council each time they need to cut back the tree branches and hedges where necessary to maintain the access road.

APPRAISAL

10. Given that 4 trees are present along the verge, the fact that only 2 have been protected shows the Council has been selective and has set out to protect the best quality trees in terms of their structure and appearance. Whilst the trees are located in an isolated location the road serves a number of properties that will benefit from seeing the trees.
11. It appears the Council has protected trees on Knightwood Farm's land due to concerns about an adjoining development. The ownership of land is not always clear to the Council as following a land sale the Land Registry website is no longer updated as promptly as it used to be. Government advice is that "it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases, the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order".
12. The Tree Preservation Order would still allow applications to be made to enable work to trees subject to approval. The use of applications to cover repeat operations is encouraged as it saves time to both the tree owner and the Council. Nottinghamshire County Council as the highway authority for this area recommends 5.2m clearance over a road and removal or pruning of branches to maintain such clearance would generally be appropriate, but each application is considered on its own merits.
13. The TPO only protects the 2 Lime trees and other trees or hedgerows can be pruned without the need to seek the Council's approval. It is considered that the imposition of a TPO could be an inconvenience to the tree owner but not to the point that it would prevent it being confirmed.

RECOMMENDATION

It is RECOMMENDED that the **Whatton No.1 Tree Preservation Order 2025** be confirmed without modification.